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Exhibit	Document
A.	Declaration of Annabel K. Melongo
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C.	September 27, 2012 FOIA Response
D.	April 13, 2010 Complaint for Arrest Warrant
E.	June 19, 2012 Transcript
F.	July 26, 2012 Order
G.	August 9, 2012 State's Notice of Appeal of July 26, 2012 Ruling
H.	March 20, 2014 <i>People v. Melongo</i> , 2014 IL 114852 (Ill.)
I.	March 3, 2010 Order
J.	Copies of Plaintiff's Website (www.illinoiscorruption.net)
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CC.	June 4, 2012 Transcript
DD.	July 27, 2012 Subpoena to Cook County State's Attorney's Office

EXHIBIT A

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANNABEL K. MELONGO)	
)	
Plaintiff,	)	Case No.13-CV-4924
)	
v.	)	Honorable Judge John Z. Lee
)	
ASA ROBERT PODLASEK, ET AL.	)	Magistrate Judge Sheila M. Finnegan
)	
Defendants.)	

**DECLARATION OF ANNABEL K. MELONGO IN OPPOSITION TO
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Annabel K. Melongo states as follows:

1. The matters stated in this Declaration are true of my personal knowledge.
2. I was not present at the hearing on June 18, 2008 at which I was purportedly arraigned for computer tampering.
3. The "surprise" referenced in the statement on my website illinoiscorruption.net – "Annabel has a big surprise in store for the court in its attempt to push her out of the case by pretending she's psychologically unbalanced. This surprise will be known on April 14, 2010." – was that I had retained a lawyer. April 14, 2010 was my next court date.
4. I used the word "surprise" on my website in other instances, none of which conveyed a threat of any sort.
5. During my psychological examination with Dr. Markos on April 13, 2010, police officers interrupted the examination by knocking on the door. Dr. Markos left the room with the officers for about 10 minutes. When Dr. Markos returned to the room, he immediately began questioning me about the statement on my website that I had a "big surprise in store for the

court.” I explained to Dr. Markos that the “surprise” was that I had retained a lawyer who would appear at the next hearing scheduled for April 14, 2010.

6. When the April 13, 2010 psychological examination concluded, I opened the door to leave and was immediately arrested by multiple police officers. I asked the officers why I was being arrested and they refused to answer. They transported me to the Cook County Sheriff’s Criminal Intelligence Unit for questioning. While at the Criminal Intelligence Unit on April 13, 2010, I was informed that I was being charged with criminal eavesdropping.

7. I was jailed continuously from April 13, 2010 until approximately October 20, 2011. (I also was jailed at other times.)

8. On November 7, 2011, I visited my former attorney’s office in a prearranged meeting for the purpose of picking up the attorney-client file he had retained. While at the attorney’s office, I was given, reviewed, and took with me when I left the attorney-client file that had been marked with a sticky note stating “Copy File – Give to Annabel Melongo.”

9. On November 10, 2011, after the court hearing at which the judge had given me until November 14, 2011 to respond to the prosecution’s motion to revoke my electronic monitoring, I was arrested. After being arrested, I asked the reason for the arrest and was told that I stole some documents. I was placed in Cook County jail.

10. Between February 2012 and July 2012, I sought copies of documents related to my criminal case from the State’s Attorney’s Office. When I was unable to obtain all documents related to my criminal case, I served a subpoena and later a FOIA request on the Cook County Sheriff’s Police.

11. I did not receive a copy of the police reports related to my April 13, 2010 arrest until I received the FOIA response from the Cook County Sheriff’s Office dated September 27,

2012. Upon examining the police reports, I learned for the first time that I had been arrested on April 13, 2010 for allegedly threatening a public official.

12. My July 27, 2012 subpoena to the Cook County Sheriff's Police was quashed by the Court at the request of Defendant Podlasek.

13. I was originally charged in 2006 and indicted in 2007 with two counts of computer tampering. The State included three charges when I was re-indicted in May 2008.

14. The document attached to my Local Rule 56.1(b) Responsive Statement of Facts ("Statement of Facts") as Exhibit C is a true and accurate copy of the FOIA response dated September 27, 2012 that I received from the Cook County Sheriff's Office.

15. The documents attached as Exhibits B, D through I, K through O, S, and U through DD to my Statement of Facts are true and accurate copies of transcripts, orders, reports, and filings in the underlying criminal proceedings against me.

16. The document attached as Exhibit J to my Statement of Facts is a true and accurate copy of a page on the website I maintained, www.illinoiscorruption.net, as of the March 8, 2010.

17. The documents attached as Exhibits P and Q to my Statement of Facts are true and accurate copies of official records related to my electronic monitoring, including a copy of the November 9, 2011 report prepared by the Sheriff's Women's Justice Programs (Exhibit P) and the November 7, 2011 permission for movement from the Sheriff's Women's Justice Programs (Exhibit Q).

18. Exhibit R to my Statement of Facts is a true and accurate copy of the adhesive note that was attached to the attorney-client file given to me on November 7, 2011.

19. Exhibit T to my Statement of Facts is a true and accurate copy of the Cook County Sheriff Property receipt dated November 10, 2011 related to my arrest on that day.

20. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Melongo", is written over a horizontal line.

Annabel K. Melongo

EXHIBIT B

BR. 98
(Court Branch)

(Court Date)

Exhibit A

FELONY

CCCR N662-125M-6/28/02 (23440565)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

The People of Illinois
Plaintiff

COMPLAINT FOR PRELIMINARY EXAMINATION

v.

NO. 10-1-110476-21

ANNABEL K. MELONGO
Defendant

PAMELA TAYLOR

(Complainant's Name Printed or Typed)

complainant, now appears before

The Circuit Court of Cook County and states that

ANNABEL K. MELONGO
(Defendant)9600 C. HAMILTON CT., DESPLAINES IL 60016
(Address)

has, on or about

DECEMBER 15, 2009
(Date)at 2650 S. CALIFORNIA CHICAGO, IL 60608
(Place of offense)

committed the offense of WIRETAPPING in that he/she
USED A DEVICE TO RECORD A CONVERSATION WITH PAMELA TAYLOR OF THE
COOK COUNTY COURT REPORTERS OFFICE WITHOUT HER CONSENT AND DISCLOSED
SUCH INFORMATION

in violation of 720
(Chapter)

ILCS

5
(Act)14-2(a)+(c)
(Section)

--	--	--	--	--	--	--

CHARGE CODE

(Complainant's Signature)

STATE OF ILLINOIS } ss.
COOK COUNTY

(Complainant's Address)

(Telephone No.)

(Complainant's Name Printed or Typed)

being first duly sworn, _____ on oath, deposes and says the he/she read the foregoing
 complaint by him/her subscribed and that the same is true.

(Complainant's Signature)

Subscribed and sworn to before me _____

(Judge or Clerk)

I have examined the above complaint and the person presenting the same and have heard evidence thereon, and am satisfied that there
 is probable cause for filing same. Leave is given to file said complaint.

Summons Issued, Judge _____

Judge's No. _____

or Warrant Issued, Bail set at, _____

or Bail set at _____ Judge _____

Judge's No. _____

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

ALL FIELDS MARKED IN **BOLD** ARE MANDATORY

STATES ATTORNEY

Transaction Control Number

Document Control Number Ref. DCN

Arresting Agency ORI - NCIC

017845559

IL 0 1 6 9 Q 0 0



Subjects Last Name

First Name

Middle Name / Suffix

LS10070017845559

MELONGO

ANNABEL

K

Date of Birth

Place of Birth

State Identification Number

Chicago IR#

FBI #

/ / 1972

XX

IL

Sex

Race

Height

Weight

Hair

Eye

Skin

F

B

5 0 5

1 2 0

BRO

BRO

DRK

Social Security Number

Drivers License Number

DL State

Photo Available

Palm Prints

FOID#

Y N

Y N

Basis For Caution:

Alias Last Name

Alias First Name

Alias Middle Name/Suffix

Alias Date of Birth

Scars, Marks, Tattoos

Occupation

Employer

UNKNOWN

Employer Address

Residence of Person Fingerprinted

9200 S HAMILTON DES PLAINES, IL 60016

Agency Case Number

Indictment Case Number

Date of Arrest

Officer Badge #

City of Pros.

10-509350

04 / 13 / 2010

5043

016

Adult By Court Order

Yes

Arrestee Armed With (Code Table on Back)

Choose Maximum of two

Auto Weapon

X1

11

12

13

14

15

16

17

Y

N

Bond Date

Receipt Number

Bond Amount

Cash Amount

Released w/o charging

Yes

Bond Type (Check box)

No Bond

Driv. Lic

Recognizance

DUI

Cash

Other

Date Fingerprinted

States Attorney ORI - NCIC

04 / 13 / 2010

IL

A

Post Sentence Fingerprints

Yes

Count	Statute Citation/AOIC Code	Class	Offense Description	Warrant County	Case Number	Filing Decision
001	720 ILCS 5.0/14-2-A-1	O 4				Check Filing Decision Filed Not Filed
001						Modified Added
001	Date of Offense 04 / 13 / 2010		Domestic Violence (Please Check)	Yes No	Arrest Type (Back)	Decision Date / /
002						Check Filing Decision Filed Not Filed
002						Modified Added
002	Date of Offense / /		Domestic Violence (Please Check)	Yes No	Arrest Type (Back)	Decision Date / /
003						Check Filing Decision Filed Not Filed
003						Modified Added
003	Date of Offense / /		Domestic Violence (Please Check)	Yes No	Arrest Type (Back)	Decision Date / /

melongo

Page Number 1 of 1

EXHIBIT C



PHONE (312) 603-6444

SHERIFF'S OFFICE OF COOK COUNTY, ILLINOIS

RICHARD J. DALEY CENTER

50 W. WASHINGTON - ROOM 704

CHICAGO, IL 60602

THOMAS J. DART

SHERIFF

September 27, 2012

Ms. Annabel N. Melongo
P.O. Box 5658
Chicago, IL 60680

Delivery via E-mail: melongo_annabel@yahoo.com

RE: FOIA- (Records Regarding Eavesdropping Charge)

Dear Ms. Melongo:

Thank you for contacting the Cook County Sheriff's Office (CCSO) pursuant to the Illinois Freedom of Information Act (FOIA), 5 ILCS 140/1 *et seq.* (2010).

On September 20, 2012 the CCSO received your FOIA request regarding the above-captioned matter.

Enclosed, please find a copy of the results generated by the Cook County Sheriff's Office (CCSO), based on the information provided. Please note that private information has been redacted according with FOIA.

If you have any further questions or concerns related to this request, please feel free to contact me.

Kind Regards,

A handwritten signature in black ink, appearing to read "Blagodat Kondeva".

Blagodat Kondeva
FOIA Officer

Enclosures



Printed on Recycled Paper



OFFENSE/INCIDENT REPORT

COOK COUNTY SHERIFF'S OFFICE

1. Case Report Number

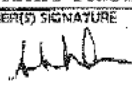
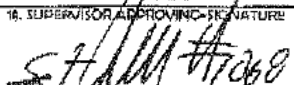
10-509350

2. Offense/Incident Threatening Public Official		3. Classification Intimidation		4. UCR Code 3969		5. Location Code 0999		6. Beat of Occurrence CCB	
7. Address/Location of Occurrence (Township) 2650 South California, Chicago IL 60608		8. Type of Place of Occurrence CCB, Court Facility		9. Date of Occurrence 13 APR 2010		10. Time of Occurrence 1230hrs		11. Unit Assigned 1122	
12. Victim Name (Last, First, Middle) (Firm or Business Name) UNKNOWN		13. Sex		14. Race		15. DOB		16. Home Phone	
19. Victim Address UNKNOWN		20. Address of Employment				21. Sobriety of Victim HBD <input type="checkbox"/> Yes <input type="checkbox"/> No			
22. Victim Injured <input type="checkbox"/> Yes <input type="checkbox"/> No		23. Treated At:		24. Treated By: <input type="checkbox"/> Released <input type="checkbox"/> DNA		25. Medical Examiner Notified		26. Time Notified <input type="checkbox"/> UNFOUNDED	
27. Person(s) Involved V - Victim W - Witness G - Guardian MP - Missing Person C - Complainant PN - Person Notified Incident Codes: S - Suspect J - Juvenile SP - Spouse MJ - Missing Juvenile P - Parent O - Other (Specify)									
Code	Name (Last/First/Middle)	Sex	Race	DOB	Address			Phone Numbers (Include A/C)	
S	Melongo, Annabel K.	F	B	1972	9200 Hamilton Court, Apartment C Des Plaines, Illinois 60016			Home: Business/Pg:	
								Home: Business/Pg:	
								Home: Business/Pg:	
28. Suspect or Missing Person Description		Hair		Complexion		Nickname or Alias/Clothing/Distinguishing Marks. Tattoos, Piercings, Place Employed, Other Phone Number, Associates, Places Known to Frequent, or Other Pertinent Information			
Code	Age	Wt.	Ht.	Build	Color	Style	Eyes	Complexion	
S	37	120	505	MED	BLK	DREAD	BRO	DARK	IR#1822117
29. Vehicle Information		DNA		Message Number:		DNA		<input type="checkbox"/> ISPERN <input type="checkbox"/> Type 3	
Code	Color	Year	Make	Model	Body Style	License No.	State	Year	Vehicle ID Number
DNA									
DNA									
Code	Distinguishing Damage/Characteristics			Insured By:		Code	Distinguishing Damage/Characteristics		
30. Weapon(s)		<input type="checkbox"/> Used <input type="checkbox"/> Displayed <input type="checkbox"/> Club or Bludgeon Instrument		31. Other means of Attack (or Possible Tool)					
<input type="checkbox"/> Handgun <input type="checkbox"/> Rifle <input type="checkbox"/> Shotgun <input type="checkbox"/> Knife/Other Cutting Instrument									
32. Property Taken by Offender <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe in Narrative)		33. Property Recovered <input type="checkbox"/> Yes <input type="checkbox"/> No Inventory Number(s)		(Describe in Narrative)		34. Evidence Taken By R/O <input type="checkbox"/> Yes <input type="checkbox"/> No Inventory Number(s)			
35. Arrestee(s) Name		Sex	Race	DOB	Charges (Section)		(Description)		AB Number
36. Narrative									
On 13 APR 2010 at 1230hrs Sergeant James Dillon #1068 was notified by the Cook County State's Attorney's Office regarding subject Annabel MELONGO IR#1822117 inappropriate communication on her website, www.illinoiscorruption.net . The inappropriate communication indicated, "Annabel has a big surprise in store for the court in its attempt to push her out of the case by pretending she's psychologically unbalanced. The surprise will be known on APRIL 14 th , 2010." Please refer to supplemental reports to follow under CR10-509350.									
37. Name/Star No. of Investigator Notified		Time Notified		38. Name/Star No. of Investigator on Scene		Time Arrived		39. Name/Star of Supervisor on Scene	
Sgt. James Dillon #1068		1230hrs		Sgt. James Dillon #1068 Inv. Antonio Rubino #5043		1230hrs		Sgt. James Dillon #1068	
40. Reporting Officer Name/Star No. (Print)		41. Assigned By:		42. Date & Time Assigned		43. Date and Time Report Approved			
Investigator A. Rubino #5043		<input type="checkbox"/> CC <input checked="" type="checkbox"/> Supt. <input type="checkbox"/> On View <input type="checkbox"/> Citizen		13 APR 2010 1230hrs		13 APR 2010 1700hrs			
44. Reporting Officer's Signature <i>A. Rubino</i>		45. Date & Time Arrived 13 APR 2010 1230hrs		46. Date & Time Completed 13 APR 2010 1700hrs		47. Supervisor Approving (Signature/Star No.) <i>Sgt. J. Dillon</i> Sergeant J. Dillon #1068			

Case Report Number
10-509350

COOK COUNTY SHERIFF'S OFFICE

SUPPLEMENTARY REPORT

1. AREA/BEAT 0999		2. PAC # 2002J		3. CASE REPORT # 10-509350	
4. ORIGINAL OFFENSE & CLASSIFICATION Threatening a Public Official		5. RECLASSIFIED TO NA		6. IS FURTHER OFFICE ACTION NECESSARY YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
7. VICTIM OR FIRM NAME Unknown		8. ADDRESS 3026 South California Chicago, Illinois 60608		9. TELEPHONE 773.869 [REDACTED]	
10. LOCATION OF INCIDENT Criminal Courts Facility 2650 S. California, Chicago Illinois 60608		11. DATE AND TIME OF ORIGINAL OCCURRENCE 13 APR 2010 1230hrs		12. DATE AND TIME INCIDENT REPORTED 13 APR 2010 1230hrs	
13. IF CASE CLEARED, HOW CLEARED ARREST & PROSECUTION <input checked="" type="checkbox"/> EXCEPTIONAL EXPLAIN <input type="checkbox"/>		18. STATUS CLEARED <input type="checkbox"/> PENDING <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> FILED <input checked="" type="checkbox"/>			
<p align="center">THIS IS A CRIMINAL INTELLIGENCE UNIT INVESTIGATION</p> <p>DATE & TIME ASSIGNED: 13 APR 2010 1230hrs</p> <p>IN CUSTODY: MELONGO, ANNABEL K. IR#1822117 2650 South California, Chicago Illinois 60608 Female/Blaack DOB: [REDACTED] 1972</p> <p>WARRANT: Warrant #10-1-110476</p> <p>CHARGES: Pending Investigation Threatening a Public Official</p> <p>TAKEN TO: Loyola Hostipal 2160 South First Avenue Maywood, Illinois 60153</p> <p>LOCATION: Criminal Courts Facility 2650 South California, Chicago Illinois 60608</p> <p>MANNER: Subject Annabel MELONGO IR#1822117 was detained for investigation by the Cook County Sheriff's Department Criminal Intelligence Unit CCSD-CIU for inappropriate communication. CCSD-CIU was notified by the Cook County State's Attorney's Office of an active arrest warrant for MELONGO.</p> <p>PROPERTY TAKEN: One (1) cruzer micro 2.0gb flash drive (SW106571) One (1) nokia cellular telephone (SW106571) Non Evidence Property Inventory #03432-10</p>					
<p align="right">CONTINUED →</p>					
13. REPORTING OFFICER(S) TYPE OR PRINT Antonio Rubino		STAR # 5043		15. DATE & TIME OF REPORT 15 APR 2010 1100hrs	
17. REPORTING OFFICER(S) SIGNATURE 		STAR # 5043		18. SUPERVISOR APPROVING SIGNATURE 	

20. CASE REPORT #

10-509350

COOK COUNTY SHERIFF'S OFFICE

2. CASE REPORT #

10-509350

CONTINUATION SHEET

2. PAGE NUMBER	3. OFFENSE	4. CLASSIFICATION	5. SUBURBAN COMPLAINT NO.
2 of 3	Threatening	Public Official	DNA

THIS IS A CRIMINAL INTELLIGENCE UNIT INVESTIGATION**PERSONNEL ASSIGNED:**

Investigator A. Rubino #5043
Investigator R. Lesiak #5000
Cook County Sheriff's Criminal Intelligence Unit
3026 South California, Chicago, Illinois 60608-bldg. #5
773.869. [REDACTED]
Cook County State's Attorney's Office
Financial Crimes Unit
Investigator O'Hare
312.603. [REDACTED]

INVESTIGATION and ARREST was CONDUCTED on 13 APR 2010

At 1230hrs Sergeant James Dillon #1068 was notified by the Cook County State's Attorney's Office regarding subject Annabel MELONGO IR#1822117 inappropriate communication on her website, www.illinoiscorruption.net. The inappropriate communication indicated, "Annabel has a big surprise in store for the court in its attempt to push her out of the case by pretending she's psychologically unbalanced. The surprise will be known on APRIL 14th, 2010".

At approximately 1245hrs MELONGO was detained on the 10th floor of the psychological evaluation unit, located at the Criminal Courts Facility, 2650 South California, Chicago Illinois 60608. At approximately 1300hrs MELONGO refused to make a statement to the Criminal Intelligence Unit investigators regarding said comment she posted on her webpage. As a result of this investigation, the Cook County State's Attorney's Office (CCSAO) Financial Crimes Unit notified the Criminal Intelligence Unit that MELONGO had an active arrest warrant for eavesdropping. R/I and Investigator Lesiak #5000 processed MELONGO on the arrest warrant for eavesdropping. A Warrant Service Report was complete under CR10-509371. United States Deputy Marshals McPherson and Wolenza from the Northern Illinois Judicial Threat Assessment Task Force attempted to interview MELONGO in reference to a post on MELONGO's website regarding Judge Leftko.

At approximately 1600hrs CCSAO Investigator O'Hare arrived at the CIU Office and stated that she had a search warrant for MELONGO's home, computer and cellular telephone. As a result of the search warrant #SW106571 one cruze micro 2.0gb flash drive and one nokia cellular telephone was turned over to Investigator O'Hare. Said property was with MELONGO at the time of the investigation.

At approximately 1700hrs MELONGO requested medical treatment. Investigators Pagani #5042 and McCaffery #499 transported MELONGO to Loyola Hospital located at 2160 South First Avenue, Chicago Illinois 60153. MELONGO was diagnosed by Loyola Hospital with a headache and was transported to the Maywood lockup without further incident.

17. REPORTING OFFICER / SIGNATURE

STAR #

A. Rubino



5043

COOK COUNTY SHERIFF'S OFFICE

2. CASE REPORT #

CONTINUATION SHEET**10-509350**

2. PAGE NUMBER

3. OFFENSE

4. CLASSIFICATION

5. SUBURBAN COMPLAINT NO.

3 of 3

Threatening

Public Official

DNA

THIS IS A CRIMINAL INTELLIGENCE UNIT INVESTIGATION

At approximately 1900hrs CIU went to 9600 Apt. C Hamilton Court, Des Plaines Illinois 60016 to execute search warrant #SW106571 and determined that said address didn't exist. CIU investigators went to MELONGO's address per Secretary of State records of 9200 Hamilton Court, Apt. C Des Plaines Illinois 60016. Sgt. Dillon contacted the landlord of said property, Tony at 708. [REDACTED]. Tony stated that she hasn't lived at said address since last year. CIU informed investigator O'Hare of said facts and concluded the investigation at this time.

CASE CLEARED AND CLOSED BY ARREST


17. REPORTING OFFICER / SIGNATURE

STAR #

A. Rubino



5043

 WARRANT SERVICE REPORT COOK COUNTY SHERIFF'S POLICE DEPARTMENT				CLASSIFICATION: <input type="checkbox"/> LODGE <input type="checkbox"/> RECALL <input type="checkbox"/> UNABLE TO LOCATE <input checked="" type="checkbox"/> SERVICE <input type="checkbox"/> OTHER: _____ <input type="checkbox"/> EXTRADITION			
DATE WARRANT ISSUED 13 APR 2010		DATE/TIME OF SERVICE 13 APR 2010/1300hrs		LOCATION OF SERVICE 3026 South California, Chicago IL 60608			
NAME (LAST) MELONGO		(FIRST) ANNABEL		(MIDDLE) K		TYPE OF WARRANT: <input type="checkbox"/> INDICT <input type="checkbox"/> VOP <input checked="" type="checkbox"/> DISTRICT <input type="checkbox"/> OUT OF STATE <input type="checkbox"/> OUT OF COUNTY	
WARRANT NUMBER(S): 10-1-110476				WARRANT CHARGES: Eavesdropping 720ILCS5/14-2(a)&(c)			
ISSUING AUTHORITY (MUNICIPALITY) & DISTRICT Cook County, Illinois			JAIL # UNKNOWN		IR # 1822117		FBI # 835778HC6 SID # IL56034810
RESIDENCE ADDRESS 9200 Hamilton Court Apt. C, Des Plaines IL 60016				RESIDENCE PHONE UNKNOWN		MARITAL STATUS: <input type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED	
PLACE OF BIRTH UNKNOWN		AKA UNKNOWN		SOCIAL SECURITY # [REDACTED] 4516		DRIVERS LICENSE # & STATE OF ISSUE M45201172827	
SEX F	RACE B	AGE 34	DOB 08 / 10 / 72	HT. 505	WT. 120	HAIR BLK	EYES BRO
PLACE OF EMPLOYMENT UNKNOWN		OCCUPATION UNKNOWN					
AMOUNT OF BOND/RECEIPT # \$30,000.00 (D)			COURT DATE 14 APR 2010		LOCATION OF COURT 2650 S. California, Chicago IL 60608		
MARKS OR DEFORMITIES UNKNOWN			WHO NOTIFIED OF DETENTION (LIST AGENCY & CONTACT)			PHONE # WITH AREA CODE	
LODGE SECTION ONLY		DATE/TIME LODGED		LOCATION LODGED		NAME SUSPECT USED	
PERSON WARRANT LODGED WITH				SIGNATURE OF PERSON RECEIVING WARRANT			
RECALL SECTION ONLY		DATE OF QUASH		AUTHORITY		PERSON AUTHORIZING	
REINSTATEMENT DATE		ACKNOWLEDGED BY		CLERKS OFFICE		PROBATION PAGE NUMBER	
NARRATIVE: On 13 APR 2010 at approximately 1230hrs Sgt. Dillon #1068 was notified by the Cook County State's Attorney's Office regarding subject Annabel MELONGO IR#1822117 inappropriate communication on her website, www.illinoiscorruption.net. Subject was transported to the Cook County Sheriff's Criminal Intelligence Unit for said investigation under CR10-509350. At approximately 1300hrs notification was made to the Criminal Intelligence Unit regarding subject Annabel MELONGO that an active arrest warrant was issued for eavesdropping. Refer to supplemental reports to follow under CR10-509350.							
1st REPORTING OFFICER & STAR (PRINT & SIGN) A. Rubino #5043				2nd REPORTING OFFICER & STAR (PRINT & SIGN)		SUPERVISOR'S SIGNATURE <i>[Signature]</i>	

CASE REPORT #
10-509371CB #
17845559

WHITE COPY: CCSPD RECORDS / YELLOW COPY: PROBATION (IF VOP) / PINK COPY: CCSPD FUGITIVE WARRANTS / GOLDENROD COPY: COURT COPY

COOK COUNTY SHERIFF'S POLICE
GENERAL PROGRESS REPORT
INVESTIGATIONS SECTION

Date of Original Case Report

Date of This Report

C.R. #

Day Month Year

Day Month Year

OFFENSE CLASSIFICATION - LAST PREVIOUS REPORT - VICTIM'S NAME AS SHOWN ON CASE REPORT

This form is designed for recording hand or typewritten notes and memoranda which are made during the conduct of investigations, including but not limited to: witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by investigators during the field investigation of violent crimes which are used to prepare official Department case reports.

As a result of the investigation w/ Anabelle, C.I.U. was notified of an arrest warrant for her for eavesdropping. CCSAD IN O'Hare came to the C.I.U. office and stated she had a SW for Anabel & Melange. Person Home & Computer.

As a result of the search warrant ^{SW106571} one cruiser micro 2.0 GB thumb drive & one NOKIA ATT cell phone was turned over to INS O'Hare. Above property was with Anabelle M. at the time of the investigation.

^{12/22/16} C.I.U. went to 9600 C. Hamilton Desplain. IL to execute SW # SW106571. No such address existed. C.I.U. went to the address listed on Anabelle. DO of 9200 C Hamilton Desplain. Per the owner Tony @ 708 [REDACTED] NSI Liver @ seven. C.I.U. informed ASA of SW. and concluded investigation @ this time

REPORTING OFFICER'S SIGNATURE #

RECEIVED BY SUPERVISOR/STAR #

DAY-MONTH-YEAR-TIME

Inv. No. 03432-10

EXAM CODE

OFFENSE / CLASSIFICATION				DATE RECOVERED		DAY	MONTH	YEAR	CR. NO.	ARREST BOOKING NO.	RECOVERED UNIT/BEAT	
				13	Apr	10	10-509350	17845559	2002 J/K 10			
QUANTITY	DESCRIPTION OF PROPERTY	CASH	CENTS									
1	Bank of America Platinum Check Card Visa											
1	ICE Visa Debit card											
1	Western Union gold card											
1	1-Pass Gift Card											
2	Des Plaines Public Library Debit Card											
1	Boysen											
1	Wallet containing Miscellaneous cards and papers											
1	passport											
1	check book											
1	bag containing Miscellaneous papers											
2	earrings gold in color											
1	bracelet black and brown in color											
12												
CHECK ANY BOXES APPLICABLE												
<input type="checkbox"/> U.S.C. HELD IN ORIGINAL FORM <input type="checkbox"/> U.S.C. DO NOT DEPOSIT <input type="checkbox"/> MEDICAL EXAMINER'S PROPERTY <input type="checkbox"/> GAMBLING SEIZURE <input type="checkbox"/> SUSPECT NARCOTICS <input type="checkbox"/> C.C.S.P.D. MONEY <input type="checkbox"/> DECEASED <input checked="" type="checkbox"/> ARRESTED												
<input checked="" type="checkbox"/> RECOVERED FROM <input type="checkbox"/> SEIZED <input type="checkbox"/> FORD BY (OWNER) <input type="checkbox"/> DECEASED <input checked="" type="checkbox"/> ARRESTED												
OWNER: <u>Melendez, ANNARE K NNNM 9200 Hamilton Ct Des Plaines IL 60018</u> ADDRESS: <u>3000 S California Chicago IL 60608</u> PHONE NO.: <u></u>												
DATE OWNER NOTIFIED TO CLAIM WITHIN 90 DAYS: <u></u> DAY: <u></u> MONTH: <u></u> YEAR: <u></u>												
INVESTIGATING OFFICER: <u>ANNARE K NNNM</u> STAR NO.: <u></u>												
HOLD FOR EVIDENCE: <input checked="" type="checkbox"/> HOLD FOR INVESTIGATION OR EVIDENCE: <input type="checkbox"/>												
TO BE DISPOSED OF BY CUSTOMER AFTER 30 DAY RETENTION (THIS IS APPLICABLE IF PROPERTY IS NOT EVIDENCE AND KNOWN OWNER AND NO FOLLOW UP INVESTIGATION)												
INITIAL DESTINATION OF PROPERTY: <input checked="" type="checkbox"/> EVIDENCE & RECOVERED PROPERTY UNIT <input type="checkbox"/> CRIME LAB <input type="checkbox"/> MEDICAL EXAMINER <input type="checkbox"/> UNIT												
TRANSPORT VEH: <input type="checkbox"/> POLICE <input type="checkbox"/> RECOVERING UNIT PERSONNEL <input type="checkbox"/> OTHER												
THE INVESTIGATING OFFICER MUST ADVISE THE PROPERTY CONTROL UNIT, EVERY 90 DAYS, OF THE STATUS OF THE ABOVE PROPERTY.												
APPROVING SUPERVISOR (PRINT): <u>Sgt J. D. 1101</u> STAR NO.: <u>10602</u>												
SUPERVISOR SIGNATURE: <u>[Signature]</u>												

COPY 1 - KEEP WITH PROPERTY

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS

Case No.

10-1-110476-01

ANNABEL
(First)K
(M.I.)MELONGO
(Last)

- ☐ Violation of:
☐ Probation
☐ Supervision
☐ Conditional Discharge

- ☐ AMF
☐ Arrest
☐ BEW

ARREST WARRANT

THE PEOPLE OF THE STATE OF ILLINOIS TO ALL PEACE OFFICERS IN THE STATE - GREETING:

We command you to arrest Defendant

ANNABEL
(First)K
(M.I.)MELONGO
(Last)

for the offense(s) of

EAVESDROPPING

(Description)

720

ILCS

5

(Statutory Citation)

/14-2(a) + (c)

stated in a charge(s) now pending before this court and that you bring him/her instant before The Circuit Court of Cook County at

BRANCA 98, 26th + CALIFORNIA
(Location)

(Room)

1000
(all or time)

or, if I am absent or unable to act, the nearest or most accessible court in Cook County or, if this warrant is executed in a county other than Cook, before the nearest or most accessible judge in the county where the arrest is made.

GEOGRAPHIC LIMITATIONS

Unless otherwise indicated below the geographic limitations are those as specified in 725 ILCS 5/187-9(e).

Issued in Cook County

April 13

2010

Bail Fixed at \$

30,000

(Geographic Limitation)

ENTERED

APR 13 2010

Prosecutor

Judge

544
No.DOROTHY BROWN
CLERK OF CIRCUIT COURT
No.

Judge

WITNESS: DOROTHY BROWN, CLERK OF THE COURT and the Seal thereof.

Dorothy Brown for
Clerk of the Circuit CourtApril 13
K. B. [Signature]
Deputy Clerk

2010

Name: ANNABEL

K
(M.I.)MELONGO
(Last)

Residence

9200 C. HAMILTON Ct., DISPLAINES

IL

60016

Sex	Race	Height	Weight	D.O.B.	Age	Complexion	Build	Driver's License No.
F	BLACK	5'05"	120 Lbs.	[REDACTED]	72	BLACK	PEITE	M95201 72827
IR	CR/CHN	FBI	SID	Social Security	Ported	at Band No.		
		835778 HC 6	IL 54034810	[REDACTED]	4516			

Complainant's Name

Address

Star No.

Officer's Key

Reviewed By

Audited By

Prosecutor

Clerk

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

EXHIBIT D

(Court Branch)

(Court Date)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

(3-81) CCMC-1-219 (1)

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COMPLAINT FOR ARREST WARRANT**

I, Investigator Kate O'Hara of the Financial Crimes Investigations Unit of the Cook County State's Attorney's Office, complainant herein, now appear before the undersigned Judge of the Circuit Court of Cook County and request the issuance of arrest warrant as follows:

Annabel K. MELONGO,
F/B, Age 37 (DOB: [REDACTED] 1972)
5'05", 120 lbs.,
LKA: 9200 C. Hamilton Court, Des Plaines, IL 60016

I, Kate O'Hara, star # 423, hereby state that I am a sworn law enforcement officer employed by the Cook County State's Attorney's Office as an Investigator in the Financial Crimes Investigations Unit, and has been so employed for four years. For a brief time, your Complainant was employed as an Investigator with the City of Chicago Inspector General's Office, during which she investigated allegations against City Employees in the Department of Ethics, Consumer Services, the Water Department, the Department of Revenue, the Chicago Police Department, and the Chicago Fire Department. Prior to that time, your Complainant was employed as a Grant Writer and Manager for the Cook County State's Attorney's Office for two years. I have assisted in the execution of numerous arrest and search warrants and have been the affiant for many such warrants.

In March 2010, I became involved in the investigation of Annabel Melongo for covertly tape recording conversations between herself and the Court Reporters Office. In 2008, Ms. Melongo was indicted on three counts of Computer Tampering in case 08CR-10502. During the pendency of those charges, Ms. Melongo has maintained a website, www.illinoiscorruption.net,

(Court Branch)

(Court Date)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

(3-81) CCMC-1-219 (1)

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COMPLAINT FOR ARREST WARRANT**

detailing the progress of the case. A further investigation of the site revealed that it was registered to Thomas Fisher and Honorine Mbabe Essono, but paid for with Annabel Melongo's VISA credit card. The site is organized chronologically and contains an entry for each court date. On or about December 18, 2009, illinoiscorruption.net published a post accusing the Cook County Court Reporter's Office of Treason. The post contains three audio recordings and accompanying transcripts of conversations between Ms. Melongo and Pamela Taylor of the Court Reporters Office.

The website entry states that on December 10, 2009, Annabel Melongo called the Court Reporter's Office and spoke to supervisor Pamela Taylor. Ms. Melongo tape recorded the conversation, but did not tell the Ms. Taylor she was doing so nor did she obtain Ms. Taylor's consent. During the conversation, a woman's voice with a distinctive accent identifies herself as Annabel and speaks to another woman's voice who identifies herself as Pamela Taylor. During the conversation Annabel asks how to get the transcripts and tape recordings for a previous court dates, and Ms. Taylor gives her instructions.

The website entry goes on to state that Ms. Melongo recorded her conversations on two other occasions. The website states that on December 15th and 16th, Ms. Melongo called Ms. Taylor and recorded the conversations. They appear at illinoiscorruption.net and are published with accompanying transcripts. At no time during the taping does either party mention that the conversation is being tape recorded, nor does either party ask for permission to tape.

(Court Branch)

(Court Date)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

(3-81) CCMC-1-219 (1)

STATE OF ILLINOIS)
) SS.
 COUNTY OF COOK)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COMPLAINT FOR ARREST WARRANT

Ms. Taylor confirms that she is one of the voices on the tape and that she was unaware that she was being recorded. Ms. Taylor identified the voice on the recording as the of Annabel Melongo, based on her subsequent interactions with Ms. Melongo.

Wild West domains confirms that the site was registered on November 3, 2009, to an individual named Thomas Fisher, and paid for with Annabel Melongo's VISA card. On March 11, 2010, the site was re-registered to Honorine Mbabe Essono, Annabel Melongo's mother, and paid for with Ms. Essono's VISA card.

Based upon the evidence as outlined herein, I believe that there is probable cause to believe that Annabel Melongo committed the felony offenses of eavesdropping in violation of both 720 ILCS 5/14-2(a) & (c). Therefore, I respectfully request that this Honorable Court issue a warrant to arrest Annabel Melongo for the above offenses.

Inv. Kate O'Hara #423
 Investigator Kate O'Hara, Star No. 423, Complainant

Subscribed and sworn to

before me on 13 April 2010

at 2:49 AM/PM.

S.B. Lini 1547
 Judge, Circuit Court of Cook County

EXHIBIT E

1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF COOK)

4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
5 COUNTY DEPARTMENT-CRIMINAL DIVISION

6 PEOPLE OF THE STATE OF ILLINOIS)
7)
8 -vs-) No. 10 CR 8092 01
9)
10 ANNABEL MELONGO)

11 REPORT OF PROCEEDINGS had at the
12 hearing of the above-entitled cause before Steven J. Goebel, one
13 of the judges of said division, on the 19th day of June, A.D.,
14 2012.

15 PRESENT:
16 MS. ANITA ALVAREZ, Cook County State's Attorney by
17 MR. ROBERT PODLASEK, Assistant State's Attorney,
18 on behalf of the People;
19 MS. ANNABEL MELONGO,
20 pro se.

21
22 ELIZABETH A. REYES
23 CERTIFIED SHORTHAND REPORTER
24 2650 SOUTH CALIFORNIA AVENUE
CHICAGO, ILLINOIS 60608
ILLINOIS CSR LICENSE NO. 084-001910

1 THE CLERK: Annabel Melongo.

2 DEFENDANT MELONGO: Good morning, Judge.

3 THE COURT: Good morning, Miss Melongo. Good morning, Mr.
4 Podlasek.

5 MR. PODLASEK: Good morning, Judge. Judge, for the record
6 Robert Podlasek, P O D L A S E K, on behalf of the State.

7 DEFENDANT MELONGO: For the record Annabel Melongo, pro se.

8 THE COURT: All right. Case is up for ruling today after I
9 previously had given everyone the new cites of the Federal
10 District Appeals Court case and Miss Melongo did file a new brief
11 in support of her position. Mr. Podlasek, are you ready to go
12 forward?

13 MR. PODLASEK: I am.

14 DEFENDANT MELONGO: Actually I haven't filed --

15 MR. PODLASEK: She didn't file any --

16 DEFENDANT MELONGO: I mean those were just notes. I prepared
17 my argument.

18 THE COURT: Okay.

19 DEFENDANT MELONGO: Okay.

20 THE COURT: All right. Go ahead briefly, Miss Melongo. You
21 may argue.

22 DEFENDANT MELONGO: How many minutes?

23 THE COURT: I'll tell you when. Go ahead.

24 DEFENDANT MELONGO: Okay. Because it's going to take like 15

1 minutes.

2 THE COURT: How about five or ten?

3 DEFENDANT MELONGO: Okay. Yes. Actually --

4 THE COURT: Just hit your -- hit your main points please.

5 DEFENDANT MELONGO: Okay. Like you said Seventh Circuit
6 Federal Court of Appeal made its ruling in the case ACLU versus
7 Alvarez.

8 THE COURT: All right. For the record that's 211 U.S.
9 District Lexis 208 -- no. That's the other one. That's the wrong
10 cite.

11 MR. PODLASEK: It's 2012 U.S. App. Lexis 9303.

12 THE COURT: Yeah. That was the one that was modified. All
13 right. The United States Court of Appeals per the Seventh Circuit
14 is Number 11-1286.

15 DEFENDANT MELONGO: Yes.

16 THE COURT: It's entitled American Civil Liberties Union of
17 Illinois, Plaintiff/Appellant, versus Anita Alvarez,
18 Defendant/Appellee. Go ahead. Proceed.

19 DEFENDANT MELONGO: Okay. At page like 23 they said that
20 "Audio and audiovisual recording are media of expression commonly
21 used for the preservation and dissemination of information and
22 idea and thus are included within the free speech and free press
23 guaranty of the First and 14th Amendment." So that is one point
24 that's important, the First Amendment issue.

1 At Page 24 we have another point where it's stated, "The
2 eavesdropping statute operates at the front end of the speech
3 process by restricting the use of a common, indeed ubiquitous,
4 instrument of communication. Restricting the use of an audio or
5 audiovisual recording device suppresses speech just as effectively
6 as restricting the dissemination of the resulting recording."

7 Then at Page 26 we have this: "Audio and audiovisual
8 recording are communication technology and as such they enable
9 speech. Criminalizing all non-consensual audio recording
10 necessarily limits the information that might be published or
11 broadcast whether to the general public or to a single family
12 member or friend and thus burden First Amendment right."

13 So at Page 28 we have this: "Moreover, the First
14 Amendment goes beyond protection of the press and self-expression
15 of individual to prohibit government from limiting the stock of
16 information from which member of the public might draw."

17 And then at Page 39 we have this: "Either way" -- Page
18 39. You have it?

19 THE COURT: Yes. Go ahead, Miss Melongo.

20 DEFENDANT MELONGO: "Either way it should be clear by now that
21 its effects on First Amendment interests is far from incidental.
22 To the contrary, the statute specifically targets a communication
23 technology; the use of an audio recorder, a medium of expression,
24 triggers criminal liabilities. The law's legal sanction is

1 directly leveled against the expressive element of an expressive
2 activity. As such, the statute burdens First Amendment right
3 directly, not incidentally."

4 Last but not least, "The Illinois eavesdropping statute
5 obliterates the distinction between private and non-private by
6 criminalizing all non-consensual audio recording regardless of
7 whether the communication is private in any sense. If protecting
8 privacy is the justification for this law, the law must be closely
9 tailored to serve that interest in order to avoid trampling on
10 speech and press right."

11 So, Judge, verbatim everything I say in my amended
12 motion to dismiss has been echoed in this ruling. So at this
13 point I would ask you to dismiss the case because the Illinois
14 eavesdropping law is unconstitutional on its face on the First and
15 14th Amendment and as applied to the Defendant trampled on her
16 freedom of the press, speech, petition and due process right.

17 THE COURT: Thank you, Miss Melongo. Mr. Podlasek, you may
18 respond.

19 MR. PODLASEK: Just briefly, Judge. The court in this case
20 was very specific and they limited the question raised and the
21 question as the court stated, "The question is here whether the
22 First Amendment prevents Illinois prosecutors from enforcing the
23 eavesdropping statute against people who openly record police
24 officers performing their official duties in public." And it goes

1 on to state that, "Openly making audiovisual recordings of police
2 officers performing their duties in public places and speaking at
3 a volume audible to bystanders." That's the first issue that
4 needs to be looked at, Judge. That's what the court addressed in
5 this ruling.

6 They did not address privacy issues. What you have here
7 is the ACLU has three points that -- that were addressed by the
8 court. They were openly recording police officers performing
9 their public duties in a public place where third parties were
10 present, in this case the general public whether they were walking
11 by incidentally or standing around listening. They were speaking
12 loud enough for others in the public way to hear.

13 In Miss Melongo's case, she surreptitiously recorded a
14 private conversation, a conversation that but for that recording
15 would not have been audible to anybody else besides the speaker
16 and the listener. That was a telephone conversation, three of
17 them. That's what this case is about.

18 THE COURT: All right. Mr. Podlasek, though if the statute is
19 unconstitutional in part, how do -- how do you say a court of law
20 can hold it constitutional as to certain facts but not other
21 facts?

22 MR. PODLASEK: Well, first of all, Judge, in this case the
23 court did not specifically find that the statute was
24 unconstitutional. In this case -- their ruling was that -- I'm

1 just going to read specifically what the last paragraph of this
2 ruling is.

3 THE COURT: Go ahead.

4 MR. PODLASEK: "For those reasons we conclude that the ACLU
5 has a strong likelihood of success on the merits of its First
6 Amendment claim. The Illinois eavesdropping statute restricts an
7 expressive medium used for the preservation and dissemination of
8 information and ideas. On the factual premise of this case, the
9 statute," the premise of this case, Judge, not Miss Melongo's
10 case, "the statute does not serve the important governmental
11 interest of protecting conversational privacy. Applying the
12 statute in the circumstances alleged here," again this case, "is
13 likely unconstitutional," but they never at any point state that
14 this statute is unconstitutional.

15 THE COURT: No. They say --

16 MR. PODLASEK: Here --

17 THE COURT: Hold on. They say it's likely unconstitutional.

18 MR. PODLASEK: Likely but --

19 THE COURT: So that's a Federal District Appeals Court telling
20 essentially me that this statute is likely unconstitutional.

21 MR. PODLASEK: No. A very narrow portion of the statute,
22 Judge, not the entire statute if that's the case. The Court went
23 on to say in their ruling what they -- they did. They --
24 "Accordingly we reverse and remand with the following

1 instructions: The District Court shall reopen the case and allow
2 the amended complaint, enter a preliminary injunction enjoining
3 the State's Attorney from applying the Illinois eavesdropping
4 statute against the ACLU and its employees or agents who openly
5 audio record the audible communications of law enforcement
6 officers or others whose communications are incidentally captured
7 when the officers are engaged in their official public duties in
8 public places and conduct such further proceedings as are
9 consistent with this opinion."

10 They're not stating that everybody now has the right to
11 go ahead and start recording private conversations and then
12 publishing them.

13 THE COURT: Which gets back to my first question. If the
14 statute is unconstitutional in part, how could it be enforced?
15 Does it sense facts specific?

16 MR. PODLASEK: In this case, Judge --

17 THE COURT: Does the judge have to then decide what facts --

18 MR. PODLASEK: That's exactly --

19 THE COURT: -- there are before --

20 MR. PODLASEK: That's exactly what this Court has to do.

21 THE COURT: -- hearing whether or not the statute is
22 unconstitutional or not?

23 MR. PODLASEK: In point of fact the court I think addresses
24 that issue, Judge.

1 (Pause in proceedings)

2 MR. PODLASEK: The court does --

3 THE COURT: First of all, let me just say the last paragraph
4 you read from is the remedy the court gave --

5 MR. PODLASEK: That's correct.

6 THE COURT: -- because they found the statute is likely
7 unconstitutional so the remedy they gave is specifically against
8 the statute as its written right now.

9 MR. PODLASEK: It's specific --

10 THE COURT: So that shows that their remedy is modifying the
11 statute and disregarding the statute and they issued and granted
12 that injunction and said the State could not enforce that section
13 of the statute.

14 MR. PODLASEK: That section of the statute which applies to
15 police officers, Judge. That's not the section of the statute
16 that we're dealing with in this case. The court specifically
17 says --

18 DEFENDANT MELONGO: Judge, may I?

19 THE COURT: Not yet. Go ahead.

20 MR. PODLASEK: "That unlike the federal wiretapping statute
21 and the eavesdropping laws of most other states the gravamen of
22 the Illinois eavesdropping offense in this case is not the secret
23 interception or surreptitious recording of private communication."
24 That's -- that's not what they're addressing in this case.

1 They're addressing the public recording of police officers, public
2 employees who are doing their duty publicly in a public place
3 where others can see them and hear them. That's not what we have
4 factually in this case.

5 The court did not find the statute unconstitutional.
6 They didn't overturn the statute. The statute still exists. And
7 the only thing that they've done, the only remedy they gave the
8 ACLU was for that specific limited section of the statute which
9 goes strictly to not recording audio -- audio -- audible
10 recordings of police officers. That's what they did. In this
11 case, they were very, very careful to structure this in a very
12 limited way.

13 We don't believe that this case applies to Miss
14 Melongo's case and her case should go forward and the next step
15 should be a trial in this case, a retrial.

16 THE COURT: All right. Miss Melongo. Go ahead.

17 DEFENDANT MELONGO: Judge, I think Mr. Podlasek is living like
18 in his own world, you know, because everything -- first, the
19 Defendant conversation with Mrs. Taylor was not a private
20 conversation. It was about the transcript being forged by Mrs.
21 Laudien who is a Court Reporter, so there was nothing private in
22 that conversation. The conversation was not about Mrs. Taylor
23 husband. It was not about her family. It was not about something
24 she does outside of her professional occupation. So it was a

1 public conversation discussing about a public matter and Mrs.
2 Taylor was speaking at a volume audible to any unassisted ear. It
3 was on the phone and she was in her office and she was speaking
4 loudly. So there was not a private conversation.

5 And the second issue is actually -- believe me, Judge, I
6 was actually surprised by this ruling myself because what the --
7 the Seventh Circuit Court of the state did it went beyond of
8 the -- the issue that ACLU asked them to address. ACLU come and
9 ask can we speak -- ACLU come with the issue of the willing
10 speaker. ACLU come with the issue of police officer but the
11 Seventh Circuit Federal Court of Appeal actually went beyond that.
12 It didn't even address the issue of a willing speaker. It went on
13 and addressed the -- the defect of the statute itself because it
14 say the statute -- what is wrong about the statute is that it
15 target a communication device regardless of whether the person
16 being recorded is a police officer or Pamela Taylor or anybody.
17 The -- the -- the Seventh Circuit Court of Appeal restricted its
18 judgment on the communication device itself.

19 Actually it went to the core of the matter. So it
20 really doesn't matter in this case who is being recorded as long
21 as the conversation is not private. So Mr. Podlasek bringing the
22 issue of police officer or whoever, it was not about that. It was
23 the substance of the law. The law should not target a
24 communication technology -- technology device. Thank you, Judge.

1 THE COURT: Okay. On Page 47 of the United States District
2 Court of Appeals opinion, it does say, and I quote, "Of course,
3 the First Amendment does not prevent the Illinois General Assembly
4 from enacting greater protection for conversational privacy than
5 the common law tort remedy provides nor is the legislature limited
6 to using the Fourth Amendment reasonable expectation of privacy
7 doctrine as a benchmark, but by legislating this broadly by making
8 it a crime to audio record any conversation, even those that are
9 not in fact private, the State has severed the link between the
10 eavesdropping statute's means and its end. Rather than attempting
11 to tailor the statutory prohibition to the important goal of
12 protecting personal privacy Illinois has banned nearly all audio
13 recording without consent of the parties including audio recording
14 that implicates no privacy interests at all."

15 The Court is relying on that language as well as the
16 Court does not believe that it can be severed out. This case
17 obviously -- the appeals case from the Federal District Court
18 obviously dealt with recording police officers and not
19 specifically to the facts of this case; however, I do not believe
20 that the statute can be severed out like that.

21 And additionally this Court is adopting Judge Sacks'
22 opinion in the People of the State of Illinois versus Christopher
23 Drew. Obviously not the facts 'cause the facts are different, but
24 I'm adopting Judge Stacks -- Judge Sacks', S A C K S, opinion in

1 10 CR 00046 in People of the State of Illinois versus Christopher
2 Drew.

3 And thus Miss Melongo's motion to declare the statute --
4 eavesdropping statute unconstitutional is granted.

5 DEFENDANT MELONGO: Thank you, Judge.

6 MR. PODLASEK: We're asking for a 30 day appeal date.

7 THE COURT: Where are we with discovery on the other case
8 'cause we're going to now move this case to the forefront and get
9 the computer tampering case to trial.

10 MR. PODLASEK: Judge, we're not going to be ready to go to
11 trial until sometime in November or October. I have four major
12 trials that go right into September.

13 THE COURT: No. This case is going to have to go.

14 MR. PODLASEK: Judge, there's no way I can get it ready.

15 DEFENDANT MELONGO: Well, Judge, actually the case has a
16 pending motion to dismiss so Mr. Podlasek has to respond to that
17 motion to dismiss.

18 THE COURT: All right. Do you have a motion to dismiss on
19 that case?

20 DEFENDANT MELONGO: Yes. He has a pending motion to dismiss.

21 (Pause in proceedings)

22 DEFENDANT MELONGO: So I think Mr. Albukerk sent you the copy
23 of the motion. I'm not going to rewrite the motion so you can
24 just answer that motion and then we argue it.

1 MR. PODLASEK: How about July 19th, Judge? We will not be
2 answering that motion at that time. We're asking for that date to
3 determine whether or not we're taking this up on appeal.

4 THE COURT: Oh, I understand. I fully expect obviously the
5 State's Attorney's office would appeal this matter.

6 MR. PODLASEK: July --

7 THE COURT: But that's not going to delay the other case.
8 We're still going --

9 MR. PODLASEK: I understand that, Judge.

10 THE COURT: We're still going to move with very -- speed to
11 get this done 'cause this is on the old case call. How many of
12 your other cases are on the old case call?

13 MR. PODLASEK: Roberto Rivera, July 9th.

14 THE COURT: That's a bench trial.

15 MR. PODLASEK: 35 witnesses. I have a second trial that month
16 before Judge Joyce, People versus Rafino. Carl Ogelsby is being
17 set before Judge Linn in the middle of August and I have a Lake
18 County case that's going ahead on the 13th in August.

19 THE COURT: I know, Mr. Podlasek, these cases can be somewhat
20 complicated.

21 MR. PODLASEK: Well, Judge, it's more than that.

22 THE COURT: We still need to move this along.

23 MR. PODLASEK: It's a matter of gathering all the witnesses
24 for this case too.

1 THE COURT: All right. Well, start now and we're going to set
2 this obviously for Miss Melongo's motion to dismiss and we'll
3 hear -- we'll hear that on July 19th. So it's going to be set
4 with for motion.

5 DEFENDANT MELONGO: He hasn't answered the motion yet.

6 THE COURT: I thought you said you had a motion on file.

7 DEFENDANT MELONGO: The motion has been filed by the
8 Defendant. Mr. Albuquerk filed the motion so I don't want to
9 rewrite the motion so if he can just answer to the motion and then
10 we argue it.

11 THE COURT: Right. We're going to set it for argument. You
12 filed it already or Mr. Albuquerk filed it so we're setting it for
13 July 19th for argument.

14 DEFENDANT MELONGO: For argument?

15 MR. PODLASEK: For my response? I haven't responded.

16 DEFENDANT MELONGO: He hasn't responded.

17 THE COURT: We can hear it.

18 MR. PODLASEK: Pardon me?

19 THE COURT: It's not that complicated. What's your motion?

20 DEFENDANT MELONGO: No, Judge. He has to respond to it so
21 that I know how to make the argument. I'm not going to argue out
22 of the blue.

23 THE COURT: All right. Both sides seem to want to -- to delay
24 this so we'll set it for State's response 'til July 19th.

1 DEFENDANT MELONGO: Okay.

2 MR. PODLASEK: By agreement?

3 THE COURT: By agreement. There's a motion on file.

4 DEFENDANT MELONGO: And, Judge, what about my I bond? I want
5 my I bond reinstated because I was put on -- sent to jail and now
6 put on E.M. because I violated a condition of my I bond by
7 catching a new case but now that the case has been dismissed I
8 want the condition of my I bond reinstated.

9 THE COURT: Mr. Podlasek.

10 MR. PODLASEK: State, would object to that, your Honor.

11 DEFENDANT MELONGO: On what basis?

12 THE COURT: Well, you're not to address Mr. Podlasek, but
13 she's obviously asking me what basis. Do you wish to address that
14 on July 19th as well?

15 MR. PODLASEK: I'll address it then, Judge.

16 THE COURT: All right. If you have any response to that
17 motion, file that on July 19th. Miss Melongo, we'll address all
18 those matters on July 19th.

19 DEFENDANT MELONGO: So I still have to stay on E.M.? So,
20 Judge, it really doesn't make sense.

21 THE COURT: Well, she is on E.M. All right. I've just
22 declared the statute unconstitutional, in effect dismissing it.
23 State obviously has a right to appeal that. They're going to make
24 that decision. I fully expect them to appeal it. Even if they

1 did appeal it, at this point I still could require you to remain
2 on E.M. during that period of time and that's what the State is
3 objecting to. So they're asking that you stay on E.M. while
4 that's pending. I don't see that there's a reason to do that.

5 DEFENDANT MELONGO: Yes.

6 THE COURT: Mr. Podlasek, I'm going to let you make your
7 argument now as to whether or not Miss Melongo --

8 DEFENDANT MELONGO: Yes.

9 THE COURT: -- should stay on E.M.

10 MR. PODLASEK: Judge, we're just going to make a general
11 objection.

12 THE COURT: Just a general objection? All right. I'm going
13 to strike E.M. I bond will be reinstated.

14 DEFENDANT MELONGO: Thank you, Judge.

15 THE COURT: And Miss Melongo will be off E.M.

16 MR. PODLASEK: Thank you.

17 THE COURT: Thank you.

18 DEFENDANT MELONGO: Judge, you don't have a ruling? You
19 should give us a ruling that I can read about your ruling.

20 THE COURT: No. I did not issue a written ruling. Mine is
21 oral only.

22 As I stated, I'm also adopting as it applies to the law
23 Christopher Drew and I'm basing it on the United States Appellate
24 District's opinion. So that's my ruling.

1 DEFENDANT MELONGO: Okay.

2 THE COURT: Okay?

3 DEFENDANT MELONGO: Thank you, Judge. Should I have to call
4 E.M. or go to E.M.?

5 THE COURT: Stuart, you have to prepare something for Miss
6 Melongo that she's off E.M.

7 THE CLERK: Yes, I will do that.

8 THE COURT: Thank you.

9 DEFENDANT MELONGO: Thank you.

10 (Which were all the proceedings had)

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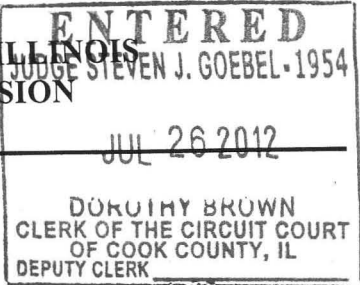
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EXHIBIT F

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CRIMINAL DIVISION



PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Plaintiff)	
)	
v.	)	10 CR 8092
)	
ANNABEL K. MELONGO,)	
)	
Defendant.	)	Honorable Steven J. Goebel
	)	Judge Presiding

ORDER

On June 19, 2012, this court granted defendant, Annabel K. Melongo’s, motion to declare the Illinois Eavesdropping Statute (720 ILCS 5/14-2) unconstitutional. Defendant has now filed an emergency motion requesting that this court amend its June 19, 2012 order declaring the Illinois Eavesdropping Statute unconstitutional in order to comply with Supreme Court Rule 18.

BACKGROUND

Defendant was charged with six counts of eavesdropping in violation of 720 ILCS 5/14-2(a)(1)(a)(3) (West 2008). Count I alleged that defendant “knowingly and intentionally used an eavesdropping device...for the purpose of recording a conversation...between [defendant] and Pamela Taylor...and without the consent of all parties such conversation.” Counts II and III alleged the same acts against the same victim on two other occasions. Counts IV, V and VI alleged that defendant “used or divulged any information which she knew or reasonably should have known was obtained through the use of an eavesdropping device...an audio recording of a conversation between [defendant] and Pamela Taylor...knowing that such a recording was obtained without Pamela Taylor’s consent.”

PROCEDURAL HISTORY

On December 13, 2010, Judge Brosnahan denied defendant's motion to declare the Illinois Eavesdropping Statute to be unconstitutional based on *People v. Bearsley*, 115 Ill. 2d 47 (1986).

On November 14, 2011, defendant filed an amended motion to declare the Illinois Eavesdropping Statute unconstitutional, arguing that the Statute is unconstitutional on its face and as applied to defendant and violates substantive free speech, freedom of the press, petition and due process guarantees.

On February 14, 2012, the State filed a response in opposition to defendant's motion to declare 720 ILCS 5/14 unconstitutional, arguing that the Eavesdropping Statute: (1) does not violate the first amendment; (2) does not violate due process; and (3) is constitutional as applied to defendant.

On June 19, 2012, this court granted defendant's motion to declare the Illinois Eavesdropping Statute (720 ILCS 5/14-2) unconstitutional.

On June 22, 2012, defendant filed an emergency motion requesting that this court amend its June 19, 2012 order declaring the Illinois Eavesdropping Statute unconstitutional in order to comply with Supreme Court Rule 18.

ANALYSIS

All statutes are presumed to be constitutional, and the burden of rebutting that presumption is on the challenger, who must clearly establish a constitutional violation. *People v. Greco*, 204 Ill. 2d 400 (2003).

The Illinois Eavesdropping Statute (the "Statute") provides:

"A person commits eavesdropping when he:

(1) Knowingly and intentionally uses an eavesdropping device for the purpose of hearing and recording all or any part of any conversation or intercepts, retains, or transcribes electronic communication unless he does so (A) with the consent of all of the parties to such conversation or electronic communication ***

(2) Uses or divulges *** any information which he knows or reasonably should know was obtained through the use of an eavesdropping device.”

720 ILCS 5/14 *et seq.*

The Statute allows citizens to make silent video of police officers performing their duties in public. 720 ILCS 5/14 *et seq.* However, the Statute elevates this conduct to a class 1 felony when a person audio records all or any part of any conversation unless all parties to the conversation give their consent. 720 ILCS 5/14 *et seq.* The Statute applies to all oral communication regardless of whether the communication was intended to be private. 720 ILCS 5/14 *et seq.* A party’s consent may be inferred from the surrounding circumstances indicating that the party knowingly agreed to the surveillance, but express disapproval defeats any inference of consent. 720 ILCS 5/14 *et seq.*

In the instant case, defendant argues that the Statute is unconstitutional on its face because it violates her First Amendment and due process rights. Defendant also argues that the Statute is unconstitutional as applied to her because Ms. Pamela Taylor was a willing speaker during the conversation and defendant had the right to receive the information and record its protected content if she so wished.

The State asks this court to interpret the court’s ruling in *ACLU* as a limited ruling. Specifically, the State contends that the *ACLU* court only addressed the section of the Statute that

applies to audio recordings of police officers in a public place where others can see and hear them. The State argues that the facts in the instant case are distinguishable from those in *ACLU* and that the case should therefore move forward and go to trial.

As noted above, this court issued an oral opinion granting defendant's motion to declare the Illinois Eavesdropping Statute (720 ILCS 5/14-2) unconstitutional on June 19, 2012. In making this decision, this court relied on a recent decision by the United States Court of Appeals for the Seventh Circuit where the court held that the Statute was likely unconstitutional based on First Amendment considerations and the issues presented in that case. The court subsequently issued a preliminary injunction enjoining the State's Attorney from applying the Statute against the ACLU and its employees or agents. *ACLU v. Alvarez*, 679 F.3d 583, 608 (7th Cir. 2012).

In *ACLU*, the court noted that the Statute is not closely tailored to the government's interest in protecting conversational privacy. Rather, "the gravamen of the Illinois eavesdropping offense is not the secret interception or surreptitious recording of a private communication. Instead, the statute sweeps much more broadly, banning *all* audio recording of *any* oral communication absent consent of the parties regardless of whether the communication is or was intended to be private." *Id.* at 595. The court went on to note that:

"Of course, the First Amendment does not prevent the Illinois General Assembly from enacting greater protection for conversational privacy than the common-law tort remedy provides. Nor is the legislature limited to using the Fourth Amendment "reasonable expectation of privacy" doctrine as a benchmark. But by legislating this broadly – by making it a crime to audio record *any* conversation, even those that are *not* in fact private – the State has severed the link between the eavesdropping statute's means and its end. Rather than attempting to tailor the

statutory prohibition to the important goal of protecting personal privacy, Illinois has banned nearly all audio recording without consent of the parties – including audio recording that implicates *no* privacy interests at all.”

ACLU, 679 F. 3d at 606. Although the *ACLU* court did not find make a specific finding that the Statute was unconstitutional, the court concluded that the ACLU has a “strong likelihood of success on the merits of its First Amendment claims.” *Id.* at 608.

Additionally, this court relied on Associate Judge Stanley Sacks’ recent opinion in *People v. of the State of Illinois v. Christopher Drew*, case number 10 CR 00046 (March 2, 2012) where the court ruled that the Illinois Eavesdropping Statute was unconstitutional on its face and as applied to the defendant. *Drew*, at p. 12. In *Drew*, the court stated that, although the Statute clearly sets forth the prohibited physical acts, the fault of the Statute is that it does not require an accompanying culpable mental state or criminal purpose for a person to be convicted of a felony. *Drew*, at p. 11.

Here, this court also finds that the Statute appears to be vague, restrictive and makes innocent conduct subject to prosecution. At this stage, this court will not conduct any fact-finding nor will this court filter the Statute and deem certain sections to be constitutional and others to be unconstitutional.

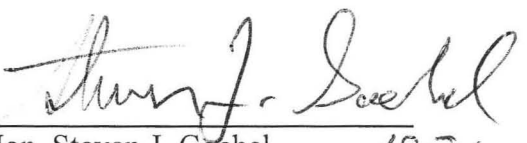
Therefore, based on the foregoing discussion, this court finds that the Illinois Eavesdropping Statute is unconstitutional on its face and as applied to defendant pursuant to Illinois Supreme Court Rule 18. This court holds that the Illinois Eavesdropping Statute lacks a culpable mental state, subjects wholly innocent conduct to prosecution, and violates substantive due process under the Fourteenth Amendment to the United States Constitution (U.S. Const. Amend. XIV) and Article I, Section 2 of the Illinois Constitution (Ill. Const. 1970, Art. I, Sec. 2).

This court further finds that the statute cannot be constructed in a manner that would preserve its validity, and judgment cannot rest upon an alternative ground. Notice under Illinois Supreme Court Rule 19 has been given.

CONCLUSION

Based upon the foregoing discussion, this court grants defendant's motion to declare the Illinois Eavesdropping Statute (720 ILCS 5/14-2) unconstitutional.

ENTERED:


Hon. Steven J. Goebel
Circuit Court of Cook County
Criminal Division

DATED:

7-26-12

EXHIBIT G

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

FILED

AUG 09 2012

DOROTHY BROWN
CLERK OF CIRCUIT COURT

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT-CRIMINAL DIVISION


PEOPLE OF THE STATE OF ILLINOIS)	
Plaintiff-Appellant,	)	Case No. 10CR-8092
)	
vs.)	
	)	Honorable
ANNABEL MELONGO,	)	Steven J. Goebel,
Defendant-Appellee.	)	Trial Judge
)	

NOTICE OF NOTICE OF APPEAL

TO:	
ANNABEL MELONGO, <i>Pro Se</i>	LISA MADIGAN
P.O. BOX 5658	Attorney General
Chicago, IL 60680	State of Illinois
	100 West Randolph Street
	Suite 1200
	Chicago, Illinois 60601

PLEASE TAKE NOTICE that on 8-9-12, a Notice of Appeal in the above captioned case was filed in the Office of the Clerk of the Circuit Court of Cook County.

ANITA ALVAREZ
State's Attorney of Cook County

BY: 
ROBERT PODLASEK
Assistant State's Attorney

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)


FILED
AUG 09 2012
DOROTHY BROWN
CLERK OF CIRCUIT COURT

IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT-CRIMINAL DIVISION

PEOPLE OF THE STATE OF ILLINOIS)	
Plaintiff-Appellant,	)	Case No. 10CR-8092
)	
vs.)	
	)	Honorable
ANNABEL MELONGO,	)	Steven J. Goebel,
Defendant-Appellee.	)	Trial Judge
)	

NOTICE OF APPEAL

- An appeal is taken from the order or judgment described below:
1. Court to which appeal is taken: **Supreme Court of Illinois**
 2. Name of Appellee's Attorney and address to which notices shall be sent:
Name: Annabel Melongo, *Pro Se*
Address: P.O. Box 5658
Chicago, IL 60680
If Appellee is indigent and has no attorney; does he want one appointed? _____
 3. Name and address of Appellant's attorney on appeal:
Name: Cook County State's Attorney
Address: 309 Richard J. Daley Center
Chicago, Illinois 60602
Phone: 312-603-5496
 4. Date of Judgment of Order: July 26, 2012
 5. Appeal is taken from: Trial court's ruling that the Illinois Eavesdropping Statute, 720 ILCS 5/14, is unconstitutional.


ROBERT PODLASEK
Assistant State's Attorney

Notice filed date: 8-9-12
Appeal check date: 8-20-12

EXHIBIT H

Illinois Official Reports

Supreme Court

People v. Melongo, 2014 IL 114852

Caption in Supreme Court: THE PEOPLE OF THE STATE OF ILLINOIS, Appellant, v. ANNABEL MELONGO, Appellee.

Docket No. 114852

Filed March 20, 2014

Held A defendant could not be criminally prosecuted for divulging the contents of conversations she recorded in violation of the eavesdropping statute where that statutory prohibition itself, in its overbreadth, was unconstitutional, in violation of the first amendment.
(Note: This syllabus constitutes no part of the opinion of the court but has been prepared by the Reporter of Decisions for the convenience of the reader.)

Decision Under Review Appeal from the Circuit Court of Cook County, the Hon. Steven J. Goebel, Judge, presiding.

Judgment Circuit court judgment affirmed.

Counsel on Appeal Lisa Madigan, Attorney General, of Springfield, and Anita M. Alvarez, State's Attorney, of Chicago (Alan J. Spellberg, Assistant State's Attorney, of counsel), for the People.

Gabriel Bankier Plotkin, Daniel M. Feeney and Alexandra K. Block, of Miller Shakman & Beem LLP, of Chicago, for appellee.

Harvey Grossman and Adam Schwartz, of Roger Baldwin Foundation of ACLU, Inc., of Chicago, and Richard J. O'Brien and Sean Siekkinen, of Sidley Austin LLP, of Chicago, for *amicus curiae* American Civil Liberties Union of Illinois.

Justices

CHIEF JUSTICE GARMAN delivered the judgment of the court, with opinion.

Justices Freeman, Thomas, Kilbride, Karmeier, Burke, and Theis concurred in the judgment and opinion.

OPINION

¶ 1 Defendant Annabel Melongo was charged with violations of section 14-2 of the Criminal Code of 1961 (720 ILCS 5/14-2 (West 2008)), which defines the offense of eavesdropping. The circuit court of Cook County found the statute unconstitutional. Thus, appeal lies directly to this court. Ill. S. Ct. R. 302 (eff. Oct. 4, 2011).

¶ 2 We allowed the American Civil Liberties Union of Illinois to file a brief *amicus curiae* pursuant to Supreme Court Rule 345. Ill. S. Ct. R. 345 (eff. Sept. 20, 2010).

¶ 3 For the following reasons, we affirm the judgment of the circuit court.

¶ 4 BACKGROUND

¶ 5 Defendant was charged with computer tampering in an unrelated case. The arraignment was set for June 18, 2008. The docket sheet, the judge's half sheet, and the court call sheet for that date indicate that defendant was not in court and that the arraignment did not take place.

¶ 6 Defendant later obtained an official court transcript of the June 18, 2008, proceeding, which stated that she was present and was arraigned on that date. Her efforts to have the court reporter change the transcript were unsuccessful. The court reporter referred defendant to her supervisor, Pamela Taylor, the Assistant Administrator of the Cook County Court Reporter's Office, Criminal Division. In their first telephone conversation, Taylor explained to defendant that any dispute over the accuracy of a transcript should be presented to the judge for resolution.

¶ 7 Defendant surreptitiously recorded three subsequent telephone conversations with Taylor and posted the recordings and transcripts of the conversations on her website. She was charged with three counts of eavesdropping (720 ILCS 5/14-2(a)(1) (West 2008)), and three counts of using or divulging information obtained through the use of an eavesdropping device (720 ILCS 5/14-2(a)(3) (West 2008)).

¶ 8 In a motion to dismiss, she stipulated that she recorded the conversations and posted them on her website, but claimed her conduct was permitted under an exception to the statute. Specifically, she claimed she was allowed to record a conversation "under reasonable suspicion that another party to the conversation is committing, is about to commit, or has committed a criminal offense against the person *** and there is reason to believe that evidence of the criminal offense may be obtained by the recording." 720 ILCS 5/14-3(i) (West 2008).

¶ 9 The State argued that the exception did not apply in this case because the court reporter whom defendant accused of creating a forged transcript was not a party to the recorded conversations. Thus, the State asserted, defendant should not be allowed to claim that the

exception of section 14-3(i) applied to her recordings of Taylor. The trial court granted the State's motion *in limine* to preclude defendant from raising this defense at trial.

¶ 10 In her motion to reconsider, defendant argued that Taylor was a party to a criminal conspiracy and, thus, the statutory exception should be available to her at trial. The trial court denied her motion to reconsider.

¶ 11 Defendant then filed a motion to dismiss on the basis that the eavesdropping statute is unconstitutional under the due process clauses of both the Illinois and United States Constitutions because there is "no rational relationship between requiring two party consent and a legitimate state interest." Two days later, this motion was argued and denied.

¶ 12 The matter proceeded to trial. The jury was unable to reach a unanimous verdict, and the court declared a mistrial. The matter was assigned to a second judge.

¶ 13 Thereafter, defendant filed a *pro se* motion to declare the statute unconstitutional, raising first amendment and due process claims. The State filed a response arguing that the statute does not violate either the first amendment or due process and that it is constitutional as applied to defendant.

¶ 14 After a hearing on the motion, the court found the statute both facially unconstitutional and unconstitutional as applied to defendant. The court's subsequent written order stated that "the statute appears to be vague, restrictive and makes innocent conduct subject to prosecution." Further, the court observed, the statute "lacks a culpable mental state, subjects wholly innocent conduct to prosecution, and violates substantive due process" under both the United States and Illinois Constitutions. In reaching this decision, the circuit court relied in part on *American Civil Liberties Union v. Alvarez*, 679 F.3d 583 (7th Cir. 2012) (finding that plaintiff had a strong likelihood of success in its first amendment claim that the Illinois eavesdropping statute was unconstitutional as applied to its plan to record police officers performing their duties in public places).

¶ 15 ANALYSIS

¶ 16 Section 14-2 of the Criminal Code provides that:

"(a) A person commits eavesdropping when he:

(1) Knowingly and intentionally uses an eavesdropping device for the purpose of hearing or recording all or any part of any conversation or intercepts, retains, or transcribes electronic communication unless he does so (A) with the consent of all of the parties to such conversation or electronic communication or (B) in accordance with Article 108A or Article 108B of the 'Code of Criminal Procedure of 1963', approved August 14, 1963, as amended; or

(3) Uses or divulges, except as authorized by this Article or by Article 108A or 108B of the 'Code of Criminal Procedure of 1963', approved August 14, 1963, as amended, any information which he knows or reasonably should know was obtained through the use of an eavesdropping device." 720 ILCS 5/14-2 (West 2008).

¶ 17 As appellant, the State argues in its opening brief that the statute does not violate due process on its face because it does contain a culpable mental state requiring both knowledge

and intent. The State further argues that the statute is not unconstitutional as applied to defendant because she admits having recorded and divulged the contents of the conversations knowingly and intentionally. The State's opening brief does not address defendant's first amendment claim, stating that although the circuit court cited extensively to *Alvarez*, a first amendment case, the court "relied exclusively on the substantive due process clause" in reaching its conclusion.

¶ 18 Defendant frames four issues. She argues that section 14-2(a)(1), the "recording provision," is unconstitutional on both first amendment and due process grounds; similarly, she argues that section 14-2(a)(3), the "publishing provision," also violates the first amendment and due process. In the alternative, she argues that if the statute is not found unconstitutional on its face, it is nevertheless unconstitutional as applied to her recording of a public official who was acting in her official capacity when she engaged in the recorded conversation.

¶ 19 The State responds to the first amendment arguments in its reply brief, arguing that the statute is a content-neutral restriction on the time, place, and manner of the exercise of first amendment rights and that it is narrowly tailored. However, the State reiterates its position that no first amendment issue is at stake.

¶ 20 The constitutionality of a statute is a question of law that we review *de novo*. *People v. Madrigal*, 241 Ill. 2d 463, 466 (2011). We presume that a statute is constitutional and, thus, the party challenging its constitutionality bears a burden of clearly establishing that the statute violates the constitution. *People v. Kitch*, 239 Ill. 2d 452, 466 (2011). In addition, if it is reasonably possible to construe the challenged statute in a manner that preserves its constitutionality, we have a duty to do so. *People v. Hollins*, 2012 IL 112754, ¶ 13.

¶ 21 As an initial matter, we reject the State's suggestion that the trial court's ruling in the present case was based entirely on due process. The defendant's motion raised a first amendment challenge. The trial court gave careful consideration and significant weight to the Seventh Circuit's opinion in *Alvarez*, a first amendment case. Finally, in its written order, the trial court specifically described the statute as "vague" and noted that it subjects innocent conduct to prosecution; in effect, the court found the statute to be overbroad. While vagueness and overbreadth may be considered in a due process challenge, they are also properly applied in the first amendment context. See, e.g., *People v. Sharpe*, 216 Ill. 2d 481, 527 (2005) (if first amendment rights are not at stake in a vagueness challenge, "due process is satisfied if: (1) the statute's prohibitions are sufficiently definite, when measured by common understanding and practices, to give a person of ordinary intelligence fair warning as to what conduct is prohibited, and (2) the statute provides sufficiently definite standards for law enforcement officers and triers of fact that its application does not depend merely on their private conceptions" (internal quotation marks omitted)); *City of Chicago v. Pooh Bah Enterprises, Inc.*, 224 Ill. 2d 390, 442 (2006) ("[W]hen a law threatens to inhibit the exercise of constitutionally protected rights such as those protected under the first amendment, the Constitution demands that a more stringent vagueness test be applied. In such a scenario, a statute is void for vagueness if it reaches a substantial amount of constitutionally protected conduct.").

¶ 22 Although the trial court did not specifically invoke the first amendment, it stated that it was relying on the Seventh Circuit's analysis in *Alvarez*. In addition, the court's findings of

vagueness and overbreadth are consistent with both first amendment and due process grounds. We find that the first amendment issue is sufficiently implicated by the circuit court's ruling to permit consideration of defendant's first amendment argument here.

¶ 23 The State also argues that defendant should be barred from raising a constitutional challenge to the statute because her constitutional claims are inconsistent with her defense at trial. At trial, she admitted that she made the recordings but argued she was permitted to do so by the statutory exception permitting an individual to record a conversation "under reasonable suspicion that another party to the conversation is committing, is about to commit, or has committed a criminal offense against the person *** and there is reason to believe that evidence of the criminal offense may be obtained by the recording." 720 ILCS 5/14-3(i) (West 2008). The State asserts that because defendant admits that she made the recordings and that she was aware at the time that her conduct was a crime if not justified by the statutory exception, she cannot now claim that the statute is vague or overbroad.

¶ 24 Defendant raised a due process challenge before the mistrial, and she raised both due process and first amendment challenges after the mistrial. The State does not explain why a criminal defendant may not argue in the alternative that the statute under which she was charged is unconstitutional and, failing that, that an exception to the statute excused her conduct. In any event:

"Overbreadth is a judicially created doctrine which recognizes an exception to the established principle that a person to whom a statute may constitutionally be applied will not be heard to challenge that statute on the ground that it may conceivably be applied unconstitutionally to others, in other situations not before the court. Under the doctrine, a party being prosecuted for speech or expressive conduct may challenge the law on its face if it reaches protected expression, even when that person's own activities are not protected by the first amendment. The reason for this special rule in first amendment cases is apparent: an overbroad statute might serve to chill protected speech. A person contemplating protected activity might be deterred by the fear of prosecution. The doctrine reflects the conclusion that the possible harm to society in permitting some unprotected speech to go unpunished is outweighed by the possibility that protected speech of others may be muted." *Pooh Bah*, 224 Ill. 2d at 435-36.

¶ 25 Thus, we find it appropriate to reach the merits of defendant's first amendment claim.

¶ 26 On the same day that oral arguments were heard in the present case, the court heard arguments in the case of *People v. Clark*, 2014 IL 115776. Although the cases were not consolidated, they involved similar issues, including a first amendment challenge to section 14-2(a)(1) of the eavesdropping statute, which defendant describes as the "recording provision." Our analysis in the present case is guided by our holding in *Clark*.

¶ 27 Defendant suggests that the statute is subject to intermediate scrutiny; the State does not specifically address the constitutional standard, but does assert that the statute is content-neutral, which invites intermediate scrutiny. *Holder v. Humanitarian Law Project*, 561 U.S. 1, ___, 130 S. Ct. 2705, 2723 (2010). A content-neutral regulation will be sustained under the first amendment if it advances important governmental interests unrelated to the suppression of free speech and does not substantially burden more speech than necessary to further those interests. *Turner Broadcasting System, Inc. v. Federal Communications Comm'n*, 520 U.S. 180, 189 (1997); *United States v. O'Brien*, 391 U.S. 367, 376-77 (1968).

¶ 28 The State and defendant agree that the purpose of the eavesdropping statute is to protect conversational privacy. However, the statute as now written deems all conversations to be private and, thus, not subject to recording absent consent, even if the participants have no expectation of privacy. The State argues that the choice between a law that might be over-inclusive and one that might be under-inclusive is a policy matter for the legislature, not the courts.

¶ 29 When that policy criminalizes a wide range of innocent conduct, however, it cannot be sustained. The statute criminalizes the recording of conversations that cannot be deemed private: a loud argument on the street, a political debate on a college quad, yelling fans at an athletic event, or any conversation loud enough that the speakers should expect to be heard by others. None of these examples implicate privacy interests, yet the statute makes it a felony to audio record each one. Judged in terms of the legislative purpose of protecting conversational privacy, the statute's scope is simply too broad. *Clark*, 2014 IL 115776, ¶¶ 22-23.

¶ 30 Further, even when the recorded conversation is held in private, the statute does not distinguish between open and surreptitious recording. The statute prohibits any recording of a conversation absent the consent of all parties. Thus, rather than knowing that he or she can proceed legally by openly recording a conversation so that all parties are aware of the presence of an operating recording device, the individual must risk being charged with a violation of the statute and hope that the trier of fact will find implied consent. See *People v. Ceja*, 204 Ill. 2d 332, 349-50 (2003) (holding that consent under the eavesdropping statute may be express or implied; implied consent is consent in fact, inferred from the surrounding circumstances that indicate the individual knowingly agreed to the recording). *Clark*, 2014 IL 115776, ¶ 22.

¶ 31 We conclude as we did in *Clark*, 2014 IL 115776, that the recording provision of the eavesdropping statute (720 ILCS 5/14-2(a)(1) (West 2008)), burdens substantially more speech than is necessary to serve a legitimate state interest in protecting conversational privacy. Thus, it does not survive intermediate scrutiny. We hold that the recording provision is unconstitutional on its face because a substantial number of its applications violate the first amendment. See *United States v. Stevens*, 559 U.S. 460, 473 (2010) (a statute may be invalidated as overbroad if a substantial number of its applications are unconstitutional when judged in relation to the statute's legitimate sweep).

¶ 32 Defendant raises an additional claim that is not present in *Clark*. She argues that what she describes as the "publishing provision" of the statute (720 ILCS 5/14-2(a)(3) (West 2008)), is also unconstitutional. The plain language of this provision criminalizes the publication of any recording made on a cellphone or other such device, regardless of consent. This alone would seem to be sufficient to invalidate the provision.

¶ 33 The State defends the provision in its brief by noting that Illinois Pattern Jury Instructions on this offense "read in" a requirement that the recording being divulged have been obtained in violation of the recording provision of section 14-2(a)(1). See Illinois Pattern Jury Instructions, Criminal, 12.03X (4th ed. 2000). Further, the State argues that defendant is not prohibited from making public the content of the conversation she recorded, she is merely prohibited from "preserving the speech of the other person in the precise manner that she would prefer," *i.e.*, a recording.

¶ 34 At oral argument, however, the State conceded that if the recording provision is found unconstitutional, the publishing provision must also fail, in light of the Supreme Court's

decision in *Bartnicki v. Vopper*, 532 U.S. 514 (2001). In *Bartnicki*, the Court considered the constitutionality of state and federal statutes prohibiting the intentional disclosure of illegally intercepted communications that the disclosing party knew or should have known were illegally obtained. The Court observed that the “naked prohibition against disclosures” in the challenged statutes was “fairly characterized as a regulation of pure speech” by an innocent party. *Id.* at 526. The Court held that under the first amendment, the state may not bar the disclosure of information regarding a matter of public importance when the information was illegally intercepted by another party who provided it to the disclosing party. *Id.* at 535.

¶ 35 Because we have held that the statutory provision criminalizing defendant’s recording of the three conversations is unconstitutional on its face, she is in the position of an innocent party who is subject to a “naked prohibition against disclosure.” It matters not whether the contents of the recorded conversations were a matter of public interest because, unlike in *Bartnicki*, the recordings cannot be characterized as illegally obtained.

¶ 36 We hold that defendant cannot be constitutionally prosecuted for divulging the contents of the conversations she recorded, just as the media defendants in *Bartnicki* could not be prosecuted for disclosing recorded communications. We, therefore, find the publishing provision to be overbroad as well.

¶ 37 CONCLUSION

¶ 38 For the foregoing reasons, we affirm the judgment of the circuit court.

¶ 39 Circuit court judgment affirmed.

EXHIBIT I

ANNABEL MELONGO
Defendant

Case No. 08CR10522

Charge COMPIER TAMPERING

CONSOLIDATED REFERRAL ORDER

It is hereby ordered by the Court that Forensic Clinical Services of the Circuit Court of Cook County, Illinois, examines the above named defendant, as to:

- ☒ a. Fitness to stand trial
☐ b. Fitness to stand trial with medication
☐ c. Sanity
☐ d. Ability to understand Miranda
☒ e. Other: FITNESS TO REPRESENT HERSELF

Is defendant on bond? Yes ☒ No ☐ Alias _____

Address of Defendant:

PO BOX 1537 City ADDISON State IL
 Zip 60101 Phone 630-220-4132 Sex F DOB [REDACTED] 1972

Name of Next of Kin: _____

Address: _____ City _____ State _____

Zip: _____ Phone _____ Relationship to Defendant _____

It is further ordered that Forensic Clinical Services make a report to the Court, including psychological/psychiatric summaries, on or before the next court date of:

APRIL 14, 2000, to:
JUDGE BRISNAHAN
2650 S. CALIFORNIA, RM 303
CHGO, IL

COOK COUNTY STATE'S ATTORNEY'S OFFICE

Attorney: ASA ROBERT PODLASEK

Address: 2650 S. CALIFORNIA, RM 13310

City, State, Zip: CHGO, IL 60609

Telephone: 773-869-2725

Attorney Code No: _____

ENTER:

DATED 3-3-10

JUDGE

JUDGE'S NO. 1811

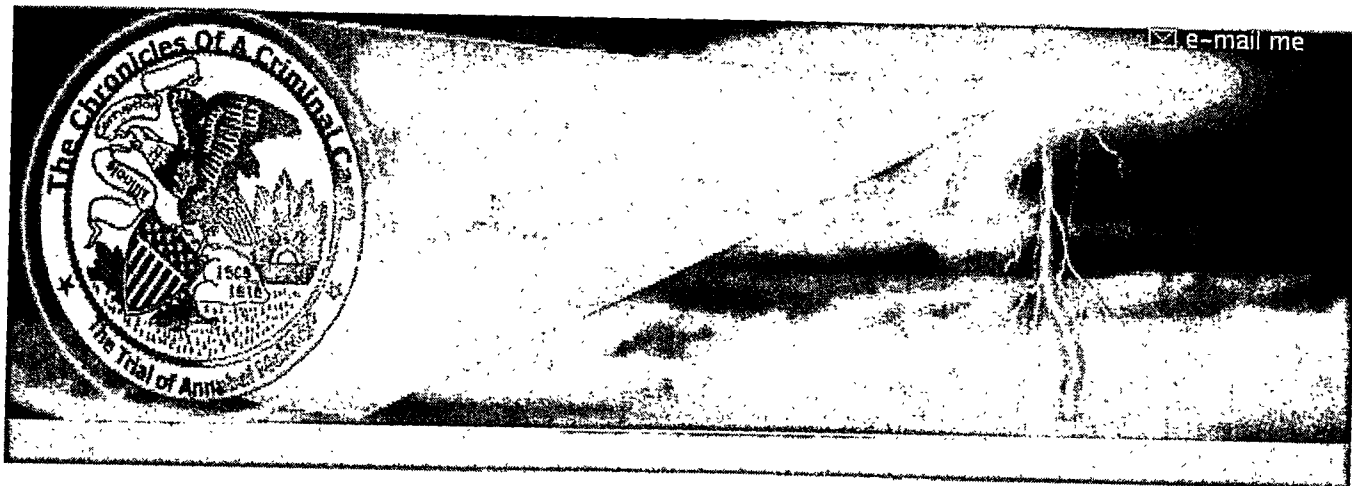
WHITE - Court File

YELLOW - Forensic Clinical Services

PINK - Defendant Copy

GOLD - State Copy

EXHIBIT J



Welcome

How It All Started

The Investigation

The Charges

Timeline With ABC Report

Rolling Meadows Court

Chicago Courthouse

Federal Courthouse

Where's Shahna G. Monge

Who's Carol Spizzirri

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Chicago Courthouse

After the case was dismissed in Rolling Meadows, Annabel was indicted January 17th, 2007 in Chicago with two counts of computer tampering. The court transcript is available here. The first day in court, the state offered her a deal through her public defender. She turned the deal down. When she refused to take the deal, her public defender became disinterested and the case stalled. She decided to hire a private lawyer. In April 2008, this new lawyer told the judge, then Judge Scheier, that the second count of the indictment didn't warrant a felony under Illinois' law. Judge Schreier agreed and asked the state to re-indict. Thus the second indictment in May, 2008 and its transcript. Strangely though, instead

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of correcting the indictment's count to reflect a felony, the state used the opportunity to revise all the statements, false and inconsistent, that were made in the first indictment. It added another count which was never part of the complaint and the very charge that caused the new indictment, well, it was kept **INTACT**. It seemed as though, the state used the re-indictment to correct its mistakes, seeing that Annabel now had a lawyer who could pose a challenge. The challenge came in the form of a motion for additional discovery. The state instead of responding to the motion, asked for yet another deal, which again was turned down. Then something strange happened. Annabel's lawyer lost his motivation. He became friendly with the state, to the point he will even joke with the state in front of her. He wouldn't answer phone calls anymore, so in an email, he was told Annabel was moving forward with another lawyer.

The third lawyer was then hired. In her search for another lawyer, she made sure that the next lawyer was young and had some computer knowledge

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which the former lawyer didn't have. She found a young one but it turned out, he was inexperienced and once he got his money, his interest for the case ended. He never filed a single motion, let alone bother to read the case's facts. The whole time was spent arguing. He, arguing that he had more important cases and she, demanding that he spent time on hers. Noticing the lack of interest on the part of this new lawyer, the state demanded another deal. The lawyer urged the defendant to take it, but again, no deal was made. The refusal resulted in another fight and more money was requested from Annabel if she wanted something done toward her defense. Strangely though, it's through this lawyer that Annabel got the idea to represent herself, idea thrown at her in a fight. This lawyer later motioned to be excused from the case and in doing so, he gave the defendant's **ENTIRE** file to the state. The same day, Annabel informed the court of her intent to represent herself. The case was continued to have the matter discussed in the following hearing.

February 5th, 2009:
Annabel confirmed her

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intent to represent herself. She asked Judge Lawrence E. Flood for a legal assistant in the form of a public defender. Judge Flood told her either she let a public defender represent her **OR** she represents herself without any legal assistance. Without any hesitation, she decided to go solo. After asking her questions as to her education's level and her knowledge of the law, Judge Flood handed her the file with a sarcastic remark: "You're making a big mistake..." She could hear laughs suppressed by the state and people in the court. Unlike regular people who might have been discouraged and intimidated by the scenery, the remark planted a deep seed of determination in Annabel's heart and she was eager to take the bull by the horns. To do that however, she needed to know the laws as they applied to her case. She registered to legal forums, searched the internet, visited law libraries and attended Judge Feccarota's sessions in Rolling Meadows, Room 109. Strangely though, it didn't take her long in her legal apprenticeship to discover cracks in the state's case. Her confidence went up

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and she was ready to go toe-to-toe against the state in a case she knew the facts to be misleading and fabricated. Overnight, she became a lawyer.

In her new capacity, her first move was to contact the newly elected Cook County State Attorney Anita Alvarez March 23rd, 2009. Since Dick Devine was the one who pushed her case to court, Annabel thought Anita Alvarez might have a more favorable position in her case. Anita Alvarez never responded back. Then she decided to meet the Illinois Inspector General, to have it investigate her case. She met with Diana L. Saltoun and Patricia A. McConnell on April 30th, 2009. Some weeks later, the Illinois Inspector General sent her this letter. Dishearted but not discouraged, her next move was to motion the state for evidences supporting the charges. She also moved to dismiss the indictment based on the fact that it was filed outside of the 60 days limit prescribed by Section 109-3.1 of the Illinois Code of Criminal Procedure Of 1963. The state has yet to respond to the motion on the evidence stating the motion to dismiss the indictment had precedence. When the state responded to her

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motion to dismiss, Judge Flood, who replaced the incapacitated Judge Schreier, asked Annabel whether she wanted to respond or argue her motion. She chose to argue. The judge asked a second time if that's the option she wanted, she answered in the affirmative. The argument's date was set. The day of the argument, she came late and the state continued the case in her absence even though she called the judge's office to inform him of the late coming. The new argument's date was set for October 6th, 2009.

October 6th, 2009: To Annabel's surprise, Judge Flood denied her motion without bothering to hear her argument stating '**he had the right to do so...**' no further explanation was ever given. Utterly shocked, Annabel told him she wanted another judge. Judge Flood asked her to come the next morning to do the paperwork. The next morning Annabel came with a motion petitioning the Chief Judge, Paul Biebel, for substitution of **BOTH** judge and prosecutor given the fact that the Illinois Attorney General represented a conflict of interest in her case; first, for having donated money to SALF and second, for

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being in business with the same organization. Undermining Annabel's objection, Judge Flood sent her motion to judge Kazmierski, who supposedly was his supervisor. Judge Kazmierski didn't take 3 minutes to review the more than 20-pages motion and to deny it. After that hard-breaking meeting, the same day, Annabel went to the clerk office and filed a 'notification of motion' to see the chief Judge, Paul Biebel. Do you remember Paul Biebel from early on? The judge who presided over the Grand Jury that issued all the subpoenas? and the same judge who was also mentioned in the above video by Carol Spizzirri? and the judge who also discovered a conflict of interest in Anita Alvarez prosecuting Jon Burge?

October 14th, 2009:
When Annabel met the Chief Judge, she asked him to remove Judge Flood from her case based on what was said in the motion. Well, Chief Judge told Annabel that he presided over one of the largest criminal county in the U.S. and he didn't have time to review motions once they have been denied by another judge. Moreover, he knew Judge Kazmierski to be a good one. And what about

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the conflict of interest, Annabel insisted with tears in her eyes? The Chief judge, who was so keen in seeing the conflict of interest in Anita Alvarez prosecuting Jon Burge, failed to see that same conflict in Lisa Madigan prosecuting Annabel Melongo. The motion to substitute both judge and prosecutor was again dismissed and the case was sent back to judge Flood, Room 704.

October 28th, 2009:

Against everyone's surprise Annabel filed her second motion to dismiss the indictment. This time based on perjuries made by detective Martin and exculpatory facts that were not mentioned by the state during the indictment. For the first time in this case, the state and the court are caught in Carol Spizzirri's web of lies. This time, Illinois Legal System will **CLEARLY** prove in which camp it is playing. If it decides to dismiss the indictment, then detective Martin is in big trouble and SALF is open for financial investigation. However, if for some strange reasons, the motion is denied, then the Illinois Legal System has tramped on the very laws it represents and public opinion will be the witness. Unlike the first motion, this one presents

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a **CLEAR** evidence that perjuries and non-disclosure of facts have been committed. So let's watch the state's and court's response in the next hearing, **November 12th, 2009**.

November 12th, 2009:

After 7 months in the loop, the state finally responded to the motion for additional discovery . This would have been a good news for the defense if that response had some substance to it. However, 3 years and 7 months in the case, after an arrest warrant and two indictments, the state still can't provide evidence sustaining the charges. This due to an **ONGOING** investigation, when everything from the Forensic report , Kyle French email and detective Martin investigative report testified that the investigation was closed in October of 2006. Moreover, for items that don't necessitate an investigation, the state is asking the defense to **EXPLAIN** how the information is going to be used. We're curious to see how the state is going to explain away the perjuries and exculpatory evidence on **December 8th, 2009**.

December 8th, 2009:

Since this case started,

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there has never been a better week for the defense.

- First Daniel Ferraro, the director of Investigations at the Illinois Attorney General Office, removed Shahna G. Monge as a Twitter's follower. Unbeknown to him, we had a copy of the original followers.
- At 9.30 AM, Annabel filed a Notice Of Removal at the Federal building located in Dearborn Str., Chicago.
- At around 10.00 AM, Judge Lawrence E. Flood recused himself from the case. The case is sent back to Judge Paul Biebel for judge reassignment. At the same hearing, the state also added another prosecutor in the case, a young lady named Julie Gunnigle. Annabel is now facing **THREE** prosecutors. What a waste of resources!!!

December 9th, 2009: The assigned judge was John J. Fleming. To Annabel's surprise, the judge's first remark was the fact that she did ask for a substitution of judge (SOJ) before. When she asked the question as to why the

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state's response to her motion to dismiss was filed and she a copy not handed to her? Judge Fleming started yelling at her. Using her intuition has a guide, she raised her right to substitute him right away. In Illinois, any defendant has a **ONE** time right to substitute a newly assigned judge within 10 days, provided the judge in question has not made any major ruling on the case. So the case was sent back to Judge Paul Biebel for re-assignment. After the hearing, Annabel went home and made some Google searches on Judge John J. Fleming. She couldn't believe the reputation surrounding him. She then realized that Judge Flood might have been forced out of the case and the Chief Judge, fearing the perjuries' motion, might have assigned Judge John J. Fleming to do the 'job'. But little did he know that Annabel had a surprise in the form of 'substituting a judge as a right'. When Annabel wanted to substitute Judge Flood, she made a motion to Paul Biebel who denied it. However, when the case wasn't going well for the State and of course for his own survival and those of his allies, Judge Flood was suddenly excused and Judge John J. Fleming assigned the case. By the way, his

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choice wasn't random, but a hand-picked one. Undermining the Clerk Office's system in which the assignment of judges is done through an electronic system.

December 10th, 2009:

Armed with her motion to substitute the newly assigned Judge Fleming, Annabel filed a notification of motion and attached her motion to it.

Thereafter, she went to Judge Fleming's courtroom. She's told that she had no hearing scheduled that day. She then went to the State Attorney Office to serve the lead prosecutor, Robert Podlasek, her newly filed notification of motion. She learned from him that a new judge has already been assigned and that an arrest warrant was on her. He asked her to follow him to the new judge's courtroom. Utterly shocked, while in the elevator, she asked the prosecutor the statute warranting a change of judge without a written motion from the defendant? The prosecutor sarcastically replied "that's the law". To which Annabel retorted "that's not the law, that's corruption". Irritated, the prosecutor said to her "if you called me corrupt again, I will go to Judge Biebel". To aggravate him

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further she replied "let's go there right now, I really want to meet him". Prosecutor Podlasek shut his mouth only to reopen it before the new judge, Judge Mary M. Brosnahan. The new judge quashed the warrant and forced Prosecutor Podlasek to give Annabel his response to the motion to dismiss. Adding another blow to a prosecution team which has used every trick under the Sun to navigate its way through the Illinois Justice System. It was also revealed that day that Robert Podlasek is actually a **financial** prosecutor. What an irony!!! A financial prosecutor assigned to a computer tampering case, when his expertise should be used to prosecute Carol J. Spizzirri!!! And what about Mary M. Brosnahan? Nothing alarming about her on the internet. The only thing transpiring is that, she's a good Democrat and donates frequently.

Tired by the events of the day, Annabel took a bus to get to the train station. That's when she was first contacted by a dramatic creature; a creature that might well have existed in the Precambrian Era and who, by some strange natural factors, made it through the Modern Era. But

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before introducing you to this living, yet undiscovered and '**rare specimen**' known as Ms. Pamela Taylor, a little background would be helpful in understanding why she contacted Annabel:

- To file her 'Notice Of Removal' to Federal Court, Annabel gathered all the information and statutes needed to start the removal.
- She learned that a removal ought to be filed 30 days after arraignment or before the start of the trial. Knowing that she has never been arraigned in the superceding indictment, she called her friend and discussed this on the phone. Her friend asked her to go pronto to court and get the certified clerk and docket files and to order the 06/18/09 transcript. The

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next day, she went to the courthouse and did exactly that. She got a certified clerk file, a certified docket file and ordered the transcript. The clerk and the docket files confirmed the fact that she was **NEVER** arraigned.

- o She anxiously awaited the transcript and surely enough, on December 1st, 2009, she get a call from the court reporter informing her that the transcript was ready to be picked up. The transcript of that voicemail can also be viewed here.
- o December 4th, 2009: Annabel rushed to the courthouse to pick up the transcript; to her surprise, the transcript contained an arraignment she wasn't aware of. At first, she believed, her former attorney

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arraigned her
without her
being
present, opinion
reflected in her
'Notice Of
Removal', but
she later
realized, the
arraignment
was made up.
The transcript
was re-created
to reflect an
event that

NEVER
happened. The
transcript was
not only
contradicting
the other
certified
records, but it
was in
contradiction
with itself.

- o December 5th,
2009: Annabel
called Ms.
Laurel
Laudien, the
court reporter,
and left a
message
telling her she
believed the
transcript to be
a forgery. She
also told Ms.
Laudien that
she will file a
complaint
against her
and take her to
court for
having falsified
the transcript.
- o December 6th,
2009: Ms.

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Laurel Laudien returned the phone call and stated that Annabel was in court that day since she couldn't be arraigned without being present. When Annabel asked about the contradiction with the other court records, she hanged up not before Annabel re-affirmed her intent to file a complaint against her.

- o **Note:** Due to Annabel's accent, all her phone conversations with Ms. Pamela Taylor have corresponding transcripts. We recommend you read the transcript while listening to the conversations. The Illinois Eavesdropping Law provides an exemption at Sec. 14-3(i) which was the basis used by Annabel to tape the conversations. This exemption

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is further explained by Jim Ryan, the former Illinois Attorney General, in this document.

- o Then came Ms. Pamela Taylor. On December 10th, 2009, while riding the bus, Annabel received a phone call from her. Without letting Annabel speak, she re-hashed Ms. Laudien answers and forced Annabel to believe those facts to be the **TRUTH**. Annabel hung up. Some minutes later, Ms. Pamela Taylor called back with precise instructions on how Annabel ought to handle the situation. The transcribed version of her voicemail can be viewed here.
- o Having had one of her crucial transcript changed before, this

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time, Annabel decided to handle the situation differently. She went to her house, got a voice recorder and called back Ms. Pamela Taylor. Her plan was to play the naive and ignorant immigrant who didn't know about American Laws. In doing this, she played a reverse psychology on Ms. Taylor. She said to herself, if Ms. Taylor give her misleading answers, then Ms. Taylor had something to hide, otherwise, the fault might be on Ms. Laudien. We will **NOT** tell you our opinions of the conversation, make your own opinions. Here is the conversation and the accompanying transcript.

- o Smelling blood

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in the water,
Annabel
wanted to get
to the **SOUL** of
Ms. Taylor.
December
15th, 2009,
Ms. Taylor next
business day,
Annabel called
again.
Unfortunately,
that day either
she didn't have
time for a
lengthy
conversation
OR she was
afraid to be
caught off
guard.
Nevertheless,
they
exchanged the
following words
and the phone
conversation
was postponed
for the next
day. The
transcript of
the
conversation
can be viewed
here.

- o December
16th, 2009:
Here's the
phone
conversation
and its
transcript.
Though we
can't comment
on the
conversation,
nevertheless,
consciously
falsifying court

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transcripts is not only a felony but it's the **HIGHEST TREASON** a court official can perform. The FBI actually investigates such situations. The last time it happened in Cook County, it was called Operation Greylord. The biggest story behind these falsified transcripts is that, the very persons that are supposed to uphold the Law, Lisa Madigan and Anita Alvarez, won't hesitate to transgress the same Law to win bogus cases that personally benefit them. A lack of an arraignment is ground to **TERMINATE** Annabel's case. There are only three persons in the entire world who had a vested interest in that transcript. Lisa

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Madigan, Anita
Alvarez and
Annabel
Melongo.
Since the
transcript was
changed
against
Annabel's
interest, then
the **ONLY**
persons who
might have
ordered such a
despicable act,
using Ms.
Taylor and
Laudien as
pawns, are
Lisa Madigan
OR Anita
Alvarez.
There's no
word
imaginable to
describe such
an abuse of
power and the
hypocrisy
surrounding it.
Because
there's no such
word, let's just
lend a word
created by one
of our friends
and let's call
the present
situation, a
**Wowie-
Kazowie.**

- o A complaint
will be filed at
the FBI office
and subpoenas
will be issued
to get the court
reporter's
notes and the

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audio of the
hearing. Next
court date is
**January 12th,
2010.**

January 12th, 2010:

Annabel filed a motion to withdraw the motion to dismiss and filed an amended motion to dismiss. Pamela Taylor was also present in court in response to this subpoena. As it should have been expected, the response to the subpoena is not what was asked but merely Annabel's request for transcripts. She couldn't provide audio files, reporter's notes and email exchanges with the State Attorney or the Attorney General Office in regard to the 06/18/2009 transcript. It would have been native to expect otherwise. The good thing though, Ms. Pamela went on record about the audio files being inexistant and the court reporters' not accessible via subpoena. Unlike Ms. Pamela Taylor, another subpoena directed at Don Peters of Critical Technology was also responded. It's worth praising how a character like Don Peters can stand out in a case like this, where corruption and manipulation have become common practice. But first, do you remember the State response on the motion for additional

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discovery? In regard to Don Peters, the state said "The people's investigation is ongoing". To call this a lie will be an euphemism. The investigation, as far as Don Peters was concerned, was not only closed but it didn't backed-up whatever was said in the indictment. There have only been two people so far in this case, Prosecutor Lynn Palac being the second individual, who have stood up for what they believed instead of giving into the razzle dazzle of Carol Spizzirri's powerful connections, like she so boastingly and manipulatively made people aware of. In a summary, Don Peters' response is every defense's dream. Unfortunately, we can't publish it at this time, but in it, transpires that both the Attorney General and the State Attorney, less than three weeks in the incident, were briefed on the case and were requesting evidence to be preserved. Furthermore, Don Peters states that the deletion wouldn't have been difficult to stage, something that has long time been suspected. It's marvellous to come across an individual like this who comes out of the woodwork of lies, manipulation, corruption and stands for **TRUTH**.

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Comes what might. Next Court Date **January 28th, 2010.**

January 28th, 2010:
State responded to Defendant's Amended Motion To Dismiss. Judge Brosnahan gave the Defense some minutes to review the response before deciding on the argument's date. After reviewing the response, Defendant told the Judge that she couldn't argue the response simply because the information contained in it wasn't given to her when she filed her motion for additional discovery. She argued that the state's response in regard to that motion, mentioned a so-called pending investigation. She asked the judge to put a hold on the argument's date and force the state to provide additional discovery. The judge agreed. In the next court's date therefore, Annabel will file a Motion To Force Discovery or To Dismiss; hopefully in doing so, the information mentioned in the state's response will be available to her. Information being, among other things, the comcast bill, the forensic examination report on the IP Address and the so-called statement made by the Defendant. Worth noting, although a Status Hearing has been scheduled in Federal

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Court, it's not until the federal judge ordered the removal that the case will be closed in Cook County. Next Court Date **February 9th, 2010**

February 9th, 2010:
Judge Brosnahan asked the state to comply as quick as possible with Defendant's Motion To Compel Discovery Or To Dismiss. Judge also reprimanded Defendant not to cross-talk her; Defendant apologized and agreed not to do so anymore. State was unable to provide the Comcast Bill, the IP Forensic Examination as well as the Defendant's Statement regarding using Comcast at the time of the incident as alleged in the state's response to her Amended Motion To Dismiss Indictment. The Judge in addition to forcing the state to produce the above information also asked Schiller Park Police's lawyer to bring Detective Martin **ALL** Internal Affairs Records for review and to tender to the Defendant all information relevant to her subpoena. Defendant will argue both her Motion To Compel Discovery and her Motion To Dismiss Indictment on **March 3rd, 2010**.

March 3rd, 2010: Carol Spizzirri, Rita Mullins,

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Douglas Browne, Illinois Department Of Public Health all moved to quash the subpoenas sent to them through a state's Motion To Quash Subpoenas. It's understanding why the state might move to quash a subpoena sent to Illinois Department of Public Health. What raises eyebrows however, is when the state moved to quash subpoenas sent to third parties that constituted Save-A-Life Foundation board. Judge Brosnahan reversed a ruling contradicting her decision forbidding Annabel to subpoena Schiller Park Police in regard to police reports. A ruling that Annabel objected to. Another surprising move is also when Judge Brosnahan **SUDDENLY** decided to postpone Annabel's arguments on both motion to compel discovery and motion to dismiss. She stated Annabel **MUST** undergo a psychological evaluation to determine if she was fit to stand trial and defend herself. A move to which Annabel responded stating that she has been more than 3 years in the case, has done a legal job that **NONE** of her former lawyers came close to without showing any sign of psychological derangement. Judge Brosnahan replied,

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somehow disturbed, that all was irrelevant. Judge Brosnahan stated that Annabel needed a psychological evaluation because she was unable to understand her. Did the state ever asked Carol Spizzirri to undergo a psychological evaluation? If it did, it would have found out that Carol Spizzirri, not only fabricated this case from end to end by providing false statements to Randy Roberts and Dick Devine; Dick Devine who by the way, happened to be Carol Spizzirri's close friend. Judge Brosnahan forcing Annabel to undergo a psychological evaluation en lieu of letting her argue her motions is yet another move from the state and the court to block a motion to dismiss based on seven counts of perjury by Detective Martin and Three counts of prosecutorial misconduct by Joseph Podlasek. Annabel has a big surprise in store for the court in its attempt to push her out of the case by pretending she's psychologically unbalanced. This surprise will be known on **April 14th, 2010.**

[\[Welcome\]](#) | [\[How It All Started\]](#) | [\[The Investigation\]](#) | [\[The Charges\]](#) | [\[Timeline With ABC Report\]](#) | [\[Rolling Meadows Court\]](#) | [\[Chicago Courthouse\]](#) | [\[Federal Courthouse\]](#) | [\[Where's Shanna G. Monge\]](#) | [\[Who's Carol Spizzirri\]](#) | [\[Lisa Madigan Should Go\]](#)

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1

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EXHIBIT K

FORENSIC CLINICAL SERVICES

State of Illinois
Circuit Court of Cook County
Criminal Courts Administration Bldg.
2650 S. California Avenue, Room 1001
Chicago, IL 60608

Timothy C. Evans
Chief Judge

Mathew S. Markos, M.D.
Director

Phone 773-869-6100
Fax 773-869-2371
TDD 773-869-7605

April 20, 2010

The Honorable Mary M. Brosnahan
Judge of the Circuit Court of Cook County
Criminal Courts Building, Room 303
2600 S. California Avenue
Chicago, IL 60608

FILED
APR 20 2010
JUDGE Brosnahan - 1021

RE: People of the State of Illinois
vs.
ANNABEL MELONGO
Case No: 08 CR 10502
Due Date: April 20, 2010

Dear Judge Brosnahan:

Pursuant to Your Honor's Order, the undersigned psychiatrist examined the above defendant on April 13, 2010.

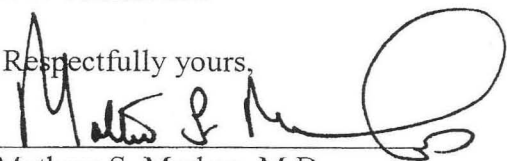
Based on the above examination and review of pertinent records, it is my opinion with a reasonable degree of medical/psychiatric certainty that Ms. Annabel Melongo **IS PRESENTLY MENTALLY FIT TO STAND TRIAL**. Currently, she does not manifest any symptoms or signs of a mental illness. She is cognizant of the charge, understands the nature and purpose of the court proceedings, and shows the ability to cooperate with counsel in her defense. Reportedly, she is not prescribed any psychotropic medication.

Ms. Melongo informed this examiner that she is no longer going pro se and retained a private attorney i.e. Mr. Nick Albukerk, who is representing her and will appear on her behalf on her next court date i.e. 4/20/10.

Please refer to my full Psychiatric summary for the basis of my opinion.

Thank you for giving me the opportunity to examine this defendant. If you have any questions or need any clarification please do not hesitate to contact me.

Respectfully yours,


Mathew S. Markos, M.D.
Director

MSM: la

EXHIBIT L

1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF C O O K)

3
4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT-CRIMINAL DIVISION

5 THE PEOPLE OF THE)
STATE OF ILLINOIS,)
6)
Plaintiff,)
7)
-vs-) No. 10 CR 08092 (01)
8)
ANNABEL MELONGO,)
9)
Defendant.)

10

11 REPORT OF PROCEEDINGS had at the Hearing of the
12 above-entitled cause before the Honorable STEVEN GOEBEL, on
13 June 24, 2011.

14 PRESENT:

15 HONORABLE ANITA ALVAREZ,
STATE'S ATTORNEY OF COOK COUNTY, by:
16 MR. ROBERT PODLASEK,
Assistant State's Attorney,
17 for the People;

18 MR. NICOLAS ALBUKERK,
for the Defendant.

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22 MARIE K. KOPPERS
Official Court Reporter
23 2650 South California Avenue, Room 4C02
Chicago, Illinois 60608
24 License No. 084-004087

1 THE CLERK: Annabel Melongo, in custody.

2 THE COURT: All right. Would everyone identify
3 themselves.

4 MR. ALBUKERK: Nick Albukerk, A-l-b-u-k-e-r-k.

5 MR. PODLASEK: Robert Podlasek, P-o-d-l-a-s-e-k, for the
6 State.

7 THE COURT: Good afternoon, Ms. Melongo.

8 All right. Mr. Albukerk, I will let you start.

9 MR. ALBUKERK: Thank you, Judge. Well, Judge, we're
10 here again. As you know, my client has very, very much
11 wanted to hire other counsel, counsel besides me, and we have
12 to keep getting these continuances to find out if in fact she
13 will be able to hire new counsel. She has had certain
14 problems, because unfortunately, she's had some -- she tells
15 me -- I spoke to her briefly in the back -- she's had some
16 medical problems. She needed to undergo some surgery. And
17 unfortunately, her family -- her mother, specifically, lives
18 in France. That's something I have been able to confirm,
19 because I have spoken to her there. And she would like
20 desperately to speak with her mother so that she can hire
21 this other counsel, for the record. And respectfully, my
22 client is asking for a continuance to call her mother to
23 arrange the funds to hire other counsel.

24 THE COURT: All right. I understand. You also have a

1 motion to withdraw?

2 MR. ALBUKERK: Correct.

3 THE COURT: Do you wish to argue that today?

4 MR. ALBUKERK: Judge, I stand on, you know, what is
5 written in there. My client has already filed an ARDC
6 complaint against me.

7 THE COURT: What is the status of the ARDC complaint?

8 MR. ALBUKERK: I know it was filed and then I had to
9 file a response. I did file that response over a month ago.
10 And I have not heard back from the ARDC in terms of whether
11 or not they've ruled one way or another.

12 THE DEFENDANT: After his response, they sent me some
13 papers, and then I have to answer in about two weeks,
14 respond, and provide more documents, and then I did that
15 April 29th. And then they told me if it's a valid complaint
16 then they are going to investigate. So I guess they are
17 investigating.

18 THE COURT: All right. Well, they would let both
19 parties know if they're going to investigate, with my
20 experience with the ARDC, having dealt with them on a
21 professional level, so that's what they do.

22 Mr. Podlasek, do you have a response? What's the
23 State's position?

24 MR. PODLASEK: Judge, as far as the State's concerned,

1 Mr. Albukerk has explained to me the situation he was in
2 months ago. I believe we had no objection to him withdrawing
3 months ago from this case. It's just a matter of whether or
4 not the defendant is going to be represented or not.

5 THE DEFENDANT: I'm going to be represented.

6 THE COURT: All right. Here's the situation. The
7 appellate courts have held just the mere filing of an ARDC
8 complaint does not require withdrawal. There's been nothing
9 represented to me here today or in the past court appearances
10 that would automatically require a withdrawal. Otherwise,
11 defendants would simply go around every time they wanted a
12 new attorney and file an ARDC complaint, and the appellate
13 courts have recognized that possibility and have dismissed
14 that possibility and there has to be something more valid to
15 it. That's why I asked you what the status of the ARDC
16 complaint is.

17 And Ms. Melongo, I'm also very concerned about
18 your status. Obviously, you have been in custody now for
19 quite sometime and it's important for you to get this matter
20 to trial, because you're sitting in custody, and I don't know
21 ultimately how the case will turn out. But if you were found
22 guilty, you may be sitting in custody longer than had you
23 gone to trial and the jury found whatever they are going to
24 find. So it's important for you to get this matter to trial

1 as well. Do you understand what I'm saying?

2 THE DEFENDANT: Judge, please I really need time, and
3 actually, I have to see everything that's going on with the
4 first case. Albuquerk never represented me, unless I know
5 exactly what the ARDC is going to say, because there were
6 some things that were done, like motions were filed. I never
7 knew about them. There were things that were done behind my
8 back. I never knew about them. I want to know all of those
9 things. It has nothing do with the appellate court. The
10 relationship between us is really damaged. And unless
11 Albuquerk told me that he didn't want to represent me, I don't
12 want him to represent me any more, so I don't know -- you
13 cannot put us together, because the relationship right now is
14 really damaged, unless maybe what you can do, maybe you can
15 give a stamp to kind of walk on that condition, but I really
16 want to see exactly what -- all the motions, everything in my
17 last file. Maybe then I can reconsider hiring him back, but
18 right now --

19 THE COURT: Okay. What do you want to see from your
20 first case?

21 THE DEFENDANT: There were things like -- there were
22 motions filed, there were things that Albuquerk did and then
23 never informed me about those motions. There were a lot of
24 motions that were filed and I never knew about them.

1 THE COURT: A motion that was filed. Do you know what
2 kind of motion you are concerned with?

3 THE DEFENDANT: I left -- maybe if I can go back, I left
4 the certificate of disposition in my cell, but I can go date
5 by date. There were things that were done behind my back. I
6 never knew that he did those things. Sometimes he even
7 waived my appearance on something and I was not even aware of
8 my appearance being waived.

9 THE COURT: All right. That's usually typical for a
10 court date. I mean, your appearance cannot be waived for an
11 actual substantive hearing where testimony is heard. The
12 judge would not accept that or even allow that to go forward.
13 But it's not unusual, it happens all the time, where an
14 attorney will ask for a continuance and waive their client's
15 appearance for various reasons, but nothing substantive
16 happens during those court appearances, and I certainly would
17 not let that happen, either. You will be present for all
18 substantive matters that any kind of ruling or any kind of
19 argument is being made, because I won't tolerate that. I
20 will not permit it as a judge on your case, I can assure you
21 that.

22 All right. This is what we will do --

23 THE DEFENDANT: For instance --

24 THE COURT: All right. Go ahead.

1 THE DEFENDANT: For instance, post trial, there was a
2 remanded file on my bond review, and that bond has been
3 denied, and I never knew that there was a bond review after
4 the trial. During that time, I was preparing to re-file that
5 bond reduction and everything, but then I saw the certificate
6 and then I saw the bond review and then a remanded file and
7 everything and I was extremely confused, and I don't know
8 what was the mandate for, what my bond -- the motion to
9 review my bond was denied when I never even knew that such a
10 motion was filed. I never knew. So I need to see all --

11 THE COURT: I will rule on Mr. Albuquerk's motion to
12 withdraw and your motion to have him dismissed in two weeks.
13 All right?

14 THE DEFENDANT: Yes.

15 THE COURT: You don't have an attorney ready and waiting
16 to come in on this case.

17 THE DEFENDANT: No, I have an attorney waiting.

18 THE COURT: Who is that?

19 THE DEFENDANT: Mr. Willis.

20 THE COURT: Robert Willis?

21 THE DEFENDANT: Yes. The only thing is, I have to talk
22 to my family. And like I said, I can still give Albuquerk a
23 chance, but I really need to know exactly what he did.
24 Unless I see what he did, I can never -- I cannot go to him.

1 He did a lot of things behind my back.

2 THE COURT: All right. I am going to continue it for
3 two weeks and then rule on this matter.

4 MR. ALBUKERK: Judge, in any event, first of all, number
5 one, let's get a date. Number two, with the permission of
6 the Court, can I prepare an order ordering the Cook County
7 Sheriff to grant my client a long distance overseas phone
8 call to her family?

9 THE COURT: Yes, I will sign an order for that,
10 absolutely.

11 THE DEFENDANT: Thank you, Judge.

12 THE COURT: You're welcome.

13 All right. July 11th?

14 MR. ALBUKERK: Yes.

15 THE COURT: It will be at 1:00 o'clock.

16 MR. ALBUKERK: All right. I will be able to fit it in.

17 THE DEFENDANT: Can you also order Albukerk to show me
18 my entire file? I want to see everything.

19 THE COURT: Well, he can go over it. There are certain
20 things, you know, he cannot show you. He cannot show you
21 police reports and things like that, but he can go over those
22 with you.

23 THE DEFENDANT: Okay.

24 MR. ALBUKERK: Judge, I have already addressed all of

1 her concerns. I have already explained them quite fully. I
2 have already been a visitor in the jail several times. That
3 is exactly what I told the ARDC as well, or something to that
4 effect. What she wants is, she wants transcripts and copies
5 of absolutely everything and every file. She wants
6 mathematical reproductions of the events in the case, and I
7 cannot do that. I cannot give her --

8 THE COURT: What do you mean "mathematical
9 reproductions"?

10 MR. ALBUKERK: She basically wants a word by word
11 reproduction of everything that has occurred in her case over
12 the last year and a half.

13 THE DEFENDANT: That's not true, that's not true.

14 MR. ALBUKERK: I have already gone over with her every
15 single motion. I have already explained to her what went on.
16 And she simply doesn't accept it. That's the problem.

17 THE DEFENDANT: Judge, that's not true. I asked him to
18 bring my entire file to jail and I want to review every
19 motion filed that I was not aware of. I never asked him to
20 make me a copy --

21 THE COURT: I'm sure Mr. Albukerk will go over the
22 motions that were filed.

23 THE DEFENDANT: Just bring any my entire file and let me
24 go through my file.

1 MR. ALBUKERK: Judge, I'm not going to do that.

2 THE COURT: He cannot do that. He can go over things
3 with you, but he cannot just hand over his file to you.
4 That's not permissible.

5 THE DEFENDANT: I don't need to see his copy -- I just
6 want to see -- I am entitled to know the kind of motion he
7 has filed.

8 THE COURT: Right. He can go over the motions with you.

9 MR. ALBUKERK: I have already been over all of that with
10 you.

11 THE DEFENDANT: No, you have not, you have not.

12 MR. ALBUKERK: I have.

13 THE DEFENDANT: See, that's the issue.

14 THE COURT: All right. I can see the two of you do have
15 some issues. I will rule on this July 11th then.

16 (Whereupon, the above-entitled matter was
17 continued to July 11, 2011.)

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1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF C O O K)

3 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
4 COUNTY DEPARTMENT-CRIMINAL DIVISION

5 I, MARIE K. KOPPERS, an Official Court Reporter
6 of the Circuit Court of Cook County, County
7 Department-Criminal Division, do hereby certify that I
8 reported in shorthand the proceedings had in the
9 above-entitled cause and that the foregoing is a true and
10 correct transcript of the proceedings heard before the
11 HONORABLE STEVEN GOEBEL, Judge of said court.

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MARIE K. KOPPERS

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License No. 084-004087

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EXHIBIT M

1 STATE OF ILLINOIS)
2 COUNTY OF COOK) SS:

3
4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT-CRIMINAL DIVISION

5 PEOPLE OF THE STATE OF ILLINOIS)
6 -vs-) No. 10 CR 8092 01
7 ANNABEL MELONGO)

8
9 REPORT OF PROCEEDINGS had at the
10 hearing of the above-entitled cause before Steven J. Goebel, one
11 of the judges of said division, on the 20th day of September,
12 A.D., 2011.

13 PRESENT:

14 MS. ANITA ALVAREZ, Cook County State's Attorney by
15 MR. ROBERT PODLASEK, Assistant State's Attorney,

16 on behalf of the People;

17 MS. ANNABEL MELONGO,

18 pro se;

19 MR. NICOLAS ALBUKERK,

20 also present.

21
22 ELIZABETH A. REYES
23 CERTIFIED SHORTHAND REPORTER
24 2650 SOUTH CALIFORNIA AVENUE
CHICAGO, ILLINOIS 60608
ILLINOIS CSR LICENSE NO. 084-001910

1 THE CLERK: Annabel Melongo, in custody.

2 MR. ALBUKERK: Nick Albukerk, A L B U K E R K, former lawyer
3 of Annabel Melongo.

4 MR. PODLASEK: Robert Podlasek, P O D L A S E K, for the
5 State.

6 THE COURT: All right. They're bringing out Miss Melongo.
7 The discovery, were you able to go through that before it is
8 tendered?

9 MR. ALBUKERK: Yes. I think -- well, I'll wait -- I'll wait
10 until she's here and then I'll start talking about it I guess. I
11 think this is all of it.

12 THE COURT: Okay.

13 (Pause in proceedings)

14 THE COURT: Okay. Miss Melongo is before the Court. Good
15 morning, Miss Melongo.

16 DEFENDANT MELONGO: Good morning.

17 THE COURT: Mr. Podlasek.

18 MR. PODLASEK: Robert Podlasek, P O D L A S E K.

19 THE COURT: Mr. Albukerk.

20 MR. ALBUKERK: Nick Albukerk for the record, former lawyer of
21 Miss Melongo.

22 Judge, pursuant to the Court's request I have brought
23 what I believe to be all of the discovery materials. Also I
24 basically brought my entire file to court. And obviously it's my

1 understanding that Ms. Melongo is going to represent herself. It
2 has been raised by the State that there's a duty to redact some of
3 this material. A lot of this material is material that I
4 subpoenaed. It's also -- it's mixed together because it's not
5 just the -- it's not just the eavesdropping case. It's also
6 the -- the computer tampering case as well. I don't know, your
7 Honor, if you want to go through these materials with me or if you
8 want me to go through them -- me to go through them with her. I
9 don't know how you exactly want to do this. Oh, and then the
10 bottom box is essentially all documents. The top box is all
11 basically clothes.

12 THE COURT: All right. State, what's your position?

13 MR. PODLASEK: Judge, our position is that we need to review
14 it. We need to redact any witnesses' telephone numbers and/or
15 addresses. It's my understanding that if Miss Melongo wants
16 somebody to be in court, she's going to have to ask the Court to
17 issue a subpoena.

18 THE COURT: Miss Melongo, your position?

19 DEFENDANT MELONGO: Actually the last time I was in court the
20 State, they talk about a Supreme Court rule that actually give
21 them the permission to go to my file and get it. I went to the
22 law library, went to the Supreme Court rule. Supreme Court Rule
23 412, 13, 14, 15. There's nothing there that say once a defendant
24 go pro se the discovery information has to be changed. In fact,

1 two years ago I became pro se. There was not a single page that
2 was changed.

3 THE COURT: Redacted you mean?

4 DEFENDANT MELONGO: Yes. There was nothing that -- actually
5 everything was given to me, all the subpoena, everything. So why
6 is it two years later then suddenly the State remember, oh, we
7 have to change information. Where was that knowledge and wisdom
8 two years ago? Why was -- wasn't it my changed two years ago when
9 I also became pro se? So I actually fine that extremely
10 suspicious for the State to actually want to get my file and
11 change some information.

12 And, Judge, if you'll notice, if they take my files is
13 such a prejudice to me because in this file are communication
14 between Albuquerk and myself that are confidential. There are
15 things that the State should not see and for the State to come in
16 to request my files actually going to be a great prejudice
17 actually for me and completely. I don't want the State to get to
18 my file. Albuquerk know what the State want. Albuquerk has to show
19 you the information. And if the State want it, the State can have
20 it and maybe Albuquerk see it, you know. Albuquerk know exactly
21 what kind of information the State want so Albuquerk can make two
22 copies, one he keeps and the other one that he gives it to me.

23 I'm not -- I'm not in this case pro se for long and we
24 are actually going in circle. I received this letter last week

1 from my mother and you can see it's French. And what the letter
2 say, she say I have the money. To whom you want me to send the
3 money for your defense? And I have been trying, calling every day
4 here to court asking to have access to phone communication and so
5 that I can give her the information to send the money. I don't
6 know if you have a French translator there but everything -- you
7 can make a copy for this. She actually give me dates where I can
8 call her to give her that information. So eventually a lawyer is
9 going to get access to my file and the State in no way should get
10 to my file.

11 THE COURT: All right. So what you're telling me essentially
12 is that your mother is going to hire an attorney for you. Is that
13 what you're telling me?

14 DEFENDANT MELONGO: Yes. And --

15 THE COURT: I believe you've been telling --

16 DEFENDANT MELONGO: I need --

17 THE COURT: Hold on. I know you've been telling me for quite
18 a while you're going to have an attorney. And your mom wrote you
19 a letter so you have not spoken to her on the phone at all or have
20 you had any communication through your friend who is always in
21 court, helped you write the last motion -- not helped you write it
22 but delivered it to the Court I should say.

23 DEFENDANT MELONGO: Yes. I can just tell -- she doesn't have
24 access -- she doesn't have an international phone -- phone line.

1 I can just tell her say this to my mom through somebody else.
2 That's the only way I can tell her, but if I have to respond to
3 this letter, it's going to take another month for me to actually
4 have the response and -- and know if she send the money or how
5 because once you send the money to the Western Union there has to
6 be some money order, tracking number and so that you have to send
7 back for the person to actually cash the money. And the issue has
8 been give me a local phone and I have an international phone card
9 so give me a phone with a local access so that I can just call my
10 mom and give her that information. If I call my mom today, by the
11 end of the week I have the money. And I have been asking this
12 every time I been in court. The State say, oh, they have some
13 security issue.

14 THE COURT: Hold on one second. You said you called your mom
15 once before from the jail?

16 DEFENDANT MELONGO: Yes.

17 THE COURT: There was -- there was a translator there?

18 MR. PODLASEK: Yes. They had a -- they have a French
19 translator. And I --

20 THE COURT: Mr. Albuquerk, were you part of that?

21 MR. ALBUKERK: We -- if I -- if memory serves correctly, this
22 was a while ago. We got an order for the -- for my client to make
23 a phone call to France and -- and I know that it was my
24 understanding, I wasn't there at the time, but it was my

1 understanding that she, in fact, did make phone calls to France.
2 And I have been in communication obviously with my client's mother
3 as well and she -- the mother had told me that she, you know, had
4 received these phone calls. So it's -- this is going back many,
5 many months obviously, probably over a year now.

6 DEFENDANT MELONGO: No, that's not true.

7 MR. ALBUKERK: Well, it was going back many months.

8 DEFENDANT MELONGO: Actually my -- my -- my social worker call
9 you.

10 THE COURT: All right. You're not going to fight with your
11 attorney right now.

12 DEFENDANT MELONGO: Okay.

13 THE COURT: Or your former attorney.

14 DEFENDANT MELONGO: Let me -- let me clarify this. Before my
15 surgery the social worker called me to request my mother phone
16 number and Nick gave her the phone number and then I make two call
17 from France at the jail and there was a French translator there.
18 So after the surgery when I -- in the presence of the translator
19 say we can do this once per month. So after the surgery when I
20 requested to make the monthly phone call, then the social worker
21 start jerking me around. She gave me appointment and then she --
22 she would not hold the appointment and that's why I came here so
23 that it's formally an order so that I can -- I can make those
24 phone calls.

1 THE COURT: All right. So you understand, if I sign an order
2 to allow you to make a phone call to France to facilitate moving
3 this case along and hopefully you getting an attorney, you
4 understand it's going to be someone else listening to your phone
5 call.

6 DEFENDANT MELONGO: I know.

7 THE COURT: Do you understand that?

8 DEFENDANT MELONGO: That's why there was a France translator
9 there. She actually listened to my conversation. She told me you
10 cannot talk about drugs and all those -- those -- those -- she
11 actually tell me exactly the thing I can say and thing I cannot.

12 THE COURT: All right. Mr. Albukerk, I'm going to ask you to
13 do one last thing even though you're not counsel anymore. If you
14 prepare an order to what I just said, I'm going to allow Miss
15 Melongo to have a phone call to France.

16 MR. ALBUKERK: Right.

17 THE COURT: However, the jail obviously will have a translator
18 and will be allowed to listen to the phone call for security
19 reasons.

20 MR. ALBUKERK: Very well.

21 THE COURT: Okay?

22 MR. ALBUKERK: Yes. I'll draft that.

23 THE COURT: And as far as discovery, I assume there is matters
24 within your discovery file, Mr. Albukerk --

1 MR. ALBUKERK: Yes.

2 THE COURT: -- that are attorney-client privilege.

3 MR. ALBUKERK: Judge, I believe -- Judge, I believe there are
4 things in the file that are probably attorney-client privilege and
5 that other things that I subpoenaed that, you know, an attorney
6 wouldn't normally turn over. I just -- I mean there's a lot of
7 stuff in the file obviously.

8 DEFENDANT MELONGO: But you never told me.

9 THE COURT: Hold on, Miss Melongo.

10 DEFENDANT MELONGO: Okay.

11 THE COURT: Hold on. I want to hold this over for a short
12 date. I want you to tell me what those items are. The State will
13 not be entitled to those items that are attorney-client
14 privilege --

15 MR. ALBUKERK: Okay.

16 THE COURT: -- or that are not discoverable items. I want to
17 know what those are and we're going to set this down. Tell me
18 what those items are. Otherwise the items that are not listed
19 we're going -- I'm going to have you go over those with the State
20 and those items will be redacted. Miss Melongo, just because the
21 State may or may not have two years ago asked for those items to
22 be redacted does not mean that they can't ask for that now because
23 that's what the law is. And --

24 DEFENDANT MELONGO: Judge --

1 THE COURT: -- it's not a waiver issue.

2 DEFENDANT MELONGO: Judge, can I have the statute or the case
3 law please?

4 THE COURT: That's what the case law is, Miss Melongo.

5 DEFENDANT MELONGO: What case?

6 THE COURT: You're representing yourself now. It's up to you
7 to find your own case law and find your own statutes. Okay? I'm
8 not here to give you case law and statutes.

9 DEFENDANT MELONGO: No. Because --

10 THE COURT: You're representing yourself. And don't interrupt
11 me.

12 DEFENDANT MELONGO: Okay.

13 THE COURT: That's going to be my ruling. You find it.

14 DEFENDANT MELONGO: Judge, may I please?

15 THE COURT: Go ahead.

16 DEFENDANT MELONGO: Because the last time we were here, the
17 State said there was a Supreme Court rule that allow him to do
18 that and I went to the law library. There's -- I haven't seen
19 that Supreme Court rule. If the State can tell me the Supreme
20 Court rule that will allow the State to go to my file and redact
21 information.

22 THE COURT: Okay. I'm not going to allow him to go through
23 your whole file.

24 MR. PODLASEK: I think Judge Joyce was here the last time and

1 he may have cited a rule and I merely said I believe so. I didn't
2 cite any rules. I think Judge Joyce did cite a rule to Miss
3 Melongo. I don't know if that was the correct rule. I didn't
4 look it up.

5 THE COURT: Okay. In either case --

6 DEFENDANT MELONGO: Okay.

7 THE COURT: -- it is what the law is and I am going to allow
8 that. They will not get any confidential attorney-client
9 information or materials. That is privileged. You're absolutely
10 correct. State is not entitled to that and they will not get
11 that. However, the regular and normal discovery that does include
12 names, addresses will be redacted.

13 DEFENDANT MELONGO: Okay.

14 THE COURT: But this whole process could be circumvented if
15 you had an attorney here. So the first thing we're going to do is
16 have that order signed.

17 DEFENDANT MELONGO: Yes.

18 THE COURT: And hold this over for a date and hopefully you
19 can tell me when you can have an attorney here.

20 DEFENDANT MELONGO: Yes.

21 THE COURT: And that's going to save Mr. Albuquerk and Mr.
22 Podlasek a lot of hours going through the discovery.

23 MR. PODLASEK: Judge, just for the Court's notice you may get
24 someone from the sheriff's office filing something.

1 THE COURT: That's fine. Then they can file it. But if it
2 was allowed before, they can certainly allow it again and we need
3 to get this case moving along.

4 MR. PODLASEK: Judge, I'm just --

5 THE COURT: That they will be allowed so there's no security
6 issues to have an interpreter present.

7 DEFENDANT MELONGO: Judge, when it's time, can you ask sheriff
8 give a time, a time line because you sign an order and then they
9 execute an order like a month later. If you can give a time line,
10 if they can put this week so I can call my mom.

11 THE COURT: Right. I want it within a week so, Mr. Albuquerk,
12 put in -- today being obviously the 20th. I want her to be called
13 by the 27th.

14 DEFENDANT MELONGO: Okay.

15 THE COURT: One week.

16 DEFENDANT MELONGO: And last but not least -- and, Judge,
17 Albuquerk never told me that he ever subpoena something and he
18 actually showed me two subpoena and then I asked him so what
19 happens to the subpoena. He say, oh, they have been quashed and
20 that's why I'm kind of surprised now. He came now. I have those
21 subpoena and the information needs to be changed. I never knew
22 that Albuquerk ever subpoena something and those subpoena were
23 actually returned to him. He never gave me that information so
24 I'm kind of surprised now that he has for which I had no idea that

1 he had documents for which I knew nothing about.

2 THE COURT: Okay. Well, we'll deal with that as we proceed
3 here. Mr. Albukerk has two boxes it looks like.

4 MR. ALBUKERK: Yes, Judge. The top box is all clothes and
5 shoes. The second box below is all documents that either have
6 been tendered to me by the State that I have copied and put
7 together for my trial notebooks. And then there's a lot of
8 material like I said that I subpoenaed all of which, by the way,
9 Judge, I did, in fact, tell my client about in great detail.

10 THE COURT: Okay. Mr. Albukerk, I understand. Let's go to
11 the first week of October. What's a good date for you, Mr.
12 Albukerk?

13 MR. ALBUKERK: What's a good date for us to come back?

14 THE COURT: Right.

15 MR. ALBUKERK: Soon I imagine.

16 THE COURT: First week of October.

17 DEFENDANT MELONGO: Maybe the 5th, the first Wednesday?

18 THE COURT: How's the 5th?

19 MR. ALBUKERK: 5th will work out fine.

20 MR. PODLASEK: That's fine.

21 THE COURT: All right. By agreement October 5th.

22 MR. ALBUKERK: Judge, what was that extension again?

23 MR. PODLASEK: 3359.

24 MR. ALBUKERK: 3359?

1 THE COURT: The court extension?

2 MR. ALBUKERK: Yes.

3 THE COURT: 3359.

4 MR. ALBUKERK: Judge, just to clarify you would like me to --
5 you want me to come up with a -- for the lack of a better term an
6 index of everything I've got?

7 THE COURT. No. You don't have to come up with an index of
8 everything you have. I just want you to tell me what is
9 confidential. Obviously you don't have to tell the State. And
10 show -- show me what that could be or just tell me what it could
11 be. You don't have to show me.

12 MR. ALBUKERK: Okay.

13 THE COURT: And I will make a ruling. If it's attorney-client
14 privilege, it will not be tendered obviously to the State.

15 MR. ALBUKERK: I could -- how about if I put it into three
16 piles, one being definite, you know, discovery that was tendered
17 to me by the State, one being just I don't know and then the other
18 being definite, you know, attorney-client privilege because
19 there's a lot of stuff that I subpoenaed that it bears on the
20 investigation. It bears on -- it bears on how one might try
21 either one of the cases.

22 THE COURT: Was that information tendered to the State in
23 discovery?

24 MR. ALBUKERK: No, it wasn't. I mean it was -- because I --

1 it was subpoenaed -- for instance, I subpoenaed materials in the
2 computer tampering case while we were still, you know, on the
3 eavesdropping case.

4 MR. PODLASEK: Judge, the reason I'm going -- the motion that
5 we have is for all discovery in both cases so if there's material
6 that is going to be presented in the computer tampering case, at
7 some point we would like access to that since they make reference
8 to that in the eavesdropping case.

9 DEFENDANT MELONGO: It has to be done through motion, not
10 going through my file.

11 MR. PODLASEK: We have filed a motion, Judge.

12 THE COURT: Right. Both sides have an on duty -- ongoing duty
13 to disclose all discovery matters. So if you want to divide it up
14 in three piles, I will look at it and I will decide.

15 DEFENDANT MELONGO: Judge, may I?

16 THE COURT: You may.

17 DEFENDANT MELONGO: Instead of him dividing can he just wait
18 because once I receive my money the lawyer is there waiting for --
19 it's just a matter of a week.

20 THE COURT: Okay.

21 DEFENDANT MELONGO: Instead of him going through my stuff.

22 THE COURT: We'll see where we're at then. First week of
23 October, October 5th. Nothing will be tendered before that date.

24 MR. PODLASEK: The motion that was filed by Miss Melongo.

1 THE COURT: I'm sorry.

2 MR. PODLASEK: There's a motion pending.

3 THE COURT: That will be held as well.

4 MR. PODLASEK: Okay.

5 THE COURT: I'm just waiting for Mr. Albukerk to finish the
6 order and it will be continued to October 5th.

7 DEFENDANT MELONGO: Can I have --

8 MR. ALBUKERK: Miss Melongo, can you tell me what your ID
9 number is? Miss Melongo, can I get your ID number please?

10 THE CLERK: 2011-0414060.

11 DEFENDANT MELONGO: Not 2011. 2010.

12 MR. ALBUKERK: 2010. You say it again. Couldn't be 11 but
13 that's okay. What was the other?

14 THE CLERK: 0414060.

15 DEFENDANT MELONGO: This is my ID, Judge. It says 2010.

16 THE COURT: Okay. 2010.

17 (Pause in proceedings)

18 DEFENDANT MELONGO: Judge --

19 THE COURT: Mr. Albukerk, show a copy as well to Miss Melongo.

20 MR. ALBUKERK: Certainly.

21 THE COURT: Okay. I'll be in chambers.

22 MR. PODLASEK: Just bring it back there?

23 THE COURT: Yes.

24 (Which were all the proceedings had)

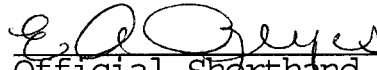
1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF COOK)

3 I, ELIZABETH A. REYES, Official Shorthand Reporter of
4 the Circuit Court of Cook County, County Department-Criminal
5 Division, do hereby certify that I reported in shorthand the
6 evidence had in the above-entitled cause and that the foregoing is
7 a true and correct transcript of all the evidence heard.

8

9

10



Official Shorthand Reporter
License No. 084-001910
Circuit Court of Cook County
County Department
Criminal Division

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14 Dated this 19 day of November, 2012.

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EXHIBIT N

1 STATE OF ILLINOIS)
2 COUNTY OF COOK) SS:
3

4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
5 COUNTY DEPARTMENT-CRIMINAL DIVISION

6 THE PEOPLE OF THE
7 STATE OF ILLINOIS,

8 Plaintiff,

9 vs.

10 ANNABEL MELONGO,

11 Defendant.

CHARGE: CRIMINAL
CASE NO: 10 CR 08092-01

12
13 BE IT REMEMBERED, that on the 5th day
14 of OCTOBER, 2011, A.D, this cause came on to be heard
15 before the HONORABLE STEVEN GOEBEL, Judge of said court,
herein, the defendant having entered a plea of not
guilty.

16 A P P E A R A N C E S:

17 HON: ANITA ALVAREZ,

18 State's Attorney of Cook County by;

MR. ROBERT PODLASEK,

Asst. State's Attorney,

On behalf of the People of Illinois;

* * * * *

20 MS. ANNABEL MELONGO,

21 Appearing Pro Se.

* * * * *

22
23 JAMIE MITCHELL
24 OFFICIAL COURT REPORTER
CIRCUIT COURT OF COOK COUNTY

I N D E X

HON: STEVEN GOEBEL

DATE: 10/5/11

CHARGE: CRIMINAL

PAGES: LL-1 THROUGH LL-26

CONTINUED TO.....10/13/11

LL-2

1 THE CLERK: Annabel Melongo.

2 MR. ALBUKERK: For the record, Nick Albuquerk,
3 former counsel for Annabel Melongo.

4 MR. PODLASEK: Robert Podlasek on behalf of the
5 State.

6 THE COURT: Good morning, Ms. Melongo, how are
7 you?

8 DEFENDANT MELONGO: Fine.

9 THE COURT: Did you make your phone call?

10 DEFENDANT MELONGO: I didn't -- they haven't
11 let me make a phone call. I ask that --

12 THE COURT: I didn't hear you.

13 DEFENDANT MELONGO: They didn't let me make a
14 call. They didn't let me make a phone call. I wrote you
15 a later. By next week, I'm going to respond. But, your
16 order for the phone call has not been complied with.

17 So, I will ask, at this time, to
18 file a co-counsel and maybe you could fine --

19 THE COURT: As I kind of explained to you
20 before, I really don't have jurisdiction over the jail as
21 far as forcing them to do things like phone calls and
22 library privileges and things like that. All I could do
23 is make an order. But, it's ultimately up to them
24 whether or not they're going to, pursuant to their

1 administrative policy and safety requirements at the
2 jail, comply with those orders.

3 I'm not going to hold the Cook
4 County Jail in contempt of court. Let's proceed with
5 discovery. Mr. Albuquerk, where are we at?

6 MR. ALBUKERK: Judge, pursuant to your order, I
7 brought to the Court, two large sized boxes. The first
8 box is all the clothes, shoes, several outfits that
9 Ms. Melongo used in her last trial and presumably needs
10 to use in any further jury trials. The bottom box is all
11 the documents that I've had in both her cases, both her
12 eavesdropping cases, as well as the other case, the
13 computer tampering case.

14 I've gone through the entire box.
15 I believe -- I hope that I got out every single document
16 which could be arguably privileged. I believe the
17 documents are definitely privileged. They would be like
18 letters between her and I.

19 THE COURT: Those are privileged?

20 MR. ALBUKERK: Exactly. There's some other
21 communications which arguably could be privileged. It's
22 about an inch thick worth of document. With the Court's
23 permission, I would open it up. If the Court wants to
24 review those documents, it could.

1 The rest of the box, I believe is
2 all the things that we either subpoenaed as part of my
3 investigation, or that is discovery that was tendered to
4 us, most of which has already been tendered. Some of the
5 subpoenaed materials regarding the computer tampering
6 case has not been tendered to the State. That's because
7 the State elected on the eavesdropping case.

8 THE COURT: But, in your opinion, they are
9 discoverable?

10 MR. ALBUKERK: Oh, yes, absolutely.

11 THE COURT: All right. I do not want to look
12 at any private communications between you and
13 Ms. Melongo. I'm not going to look at those. Do not
14 tender those to me. You could either keep them or give
15 them to Ms. Melongo.

16 MR. ALBUKERK: There are e-mails and stuff.

17 THE COURT: Did you make copies for your files
18 so that you have copies if you need them?

19 DEFENDANT MELONGO: Yes, I want to request that
20 too.

21 MR. ALBUKERK: I did not.

22 THE COURT: Do you wish copies? You should
23 have copies, I would think. That's up to you.

24 MR. ALBUKERK: Well, Judge, I believe that

1 everything in here -- because she's representing herself,
2 I did not believe that was necessary.

3 DEFENDANT MELONGO: But, Judge, it's necessary
4 because the question is not if I'm going to get counsel,
5 it's when I'm going to get counsel. I don't want to
6 re-subpoena all those documents. Mr. Albuquerk, you made
7 a copy so that is given to me. When I get the counsel,
8 then the original files are given to my lawyer. I don't
9 want to -- Judge, see all this? I'm not going to redo
10 everything. Copies has to be made.

11 THE COURT: There will be a copy made for you.
12 I'm not talking about a copy of the documents, I'm
13 talking about -- the State is going to redact and make
14 copies of the documents. I'm talking right now the
15 smaller file Mr. Albuquerk is holding in his hand, which
16 is attorney/client privilege, which talks about the
17 contracts and other communications between you and him.
18 That's really all I'm dealing with right now.

19 As far as the boxes are concerned,
20 those will be tendered to the State to redact, because
21 they're discoverable. There's nothing private in those
22 documents that are attorney/client privilege. The State
23 will redact those.

24 DEFENDANT MELONGO: Judge, can -- I want to

1 object about the State getting this file, because I
2 haven't even seen this file. I'm not even sure that
3 Albuquerk, what he's saying -- everything is not
4 confidential. I really have to see and decide what is
5 not confidential. To give my file to the State, will be
6 really unfair process done to the defendant. You have
7 really prejudiced the defendant.

8 THE COURT: The attorney/client privilege these
9 are reports, documents.

10 DEFENDANT MELONGO: Why I can't --

11 THE COURT: It's all discoverable material.

12 DEFENDANT MELONGO: Why can't I just -- why
13 can't we just sit at the table and then one by one and
14 see those documents -- actually see what they are. I
15 don't need to see the names. I don't need to see the
16 addresses. I don't even have that memory to remember
17 addresses and names of all those documents. I have to
18 see what is in this file before it's been tendered to the
19 State.

20 THE COURT: Okay.

21 Well, that's exactly what the law
22 does not allow, because there's certain information
23 within the files that you're not allowed to see --

24 DEFENDANT MELONGO: Judge --

1 THE COURT: -- like names -- not names, but
2 addresses and things like that.

3 DEFENDANT MELONGO: Judge, with all due
4 respect, last time after watching the State law --
5 reading the case law -- I've been to the Supreme Court
6 Rules that says once defendant becomes pro se, her file
7 has to be dedacted [sic.] I've never seen that statute.
8 I've never seen that case law. I asked you that the last
9 time.

10 THE COURT: Well, I asked you not to represent
11 yourself because you don't know the law. All right.

12 DEFENDANT MELONGO: Okay.

13 THE COURT: It's not up to me to tell you what
14 the law is as far as giving you case law rules and things
15 like that. You chose to represent yourself.

16 DEFENDANT MELONGO: I haven't been helped so
17 far in actually getting a lawyer. It's been months.
18 I've been asking for phone calls. The first time it was
19 no, the Court cannot do it because of security issues.
20 I've never seen the -- seen those security issues.

21 The second time -- and all that
22 was made to make a phone call. Nobody cares about the
23 orders. I come here with no -- with no lawyer, and my
24 file had to be tendered to the State because I have no

1 lawyer whereas nobody actually helped me to get a lawyer.

2 It's not if -- like I just say,
3 it's not if I'm going to get a lawyer, it's when I'm
4 going to get a lawyer. Mr. Albuquerk keep my file until I
5 get a lawyer if that's the case. My file should not be
6 tendered to the State.

7 THE COURT: That's why we're going back to the
8 same thing originally. I mean, I saw your friend. She's
9 sitting in court giving you the high 5 when you finally
10 discharged Mr. Albuquerk. That was your method of getting
11 rid of Mr. Albuquerk and doing what you wanted to do on
12 this case. You're doing it just so you could buy your
13 time to get a lawyer.

14 DEFENDANT MELONGO: I'm not buying time.

15 THE COURT: I'm going to proceed with this
16 case. If you want to represent yourself, you have to
17 represent yourself. This case is going to go to trial.
18 I'm not going to wait months like it's been since you've
19 been telling me it's going to be a lawyer. You told me
20 that for months now. There's no attorney. I don't even
21 foresee an attorney on the horizon for that matter.

22 I'm not going to keep delaying
23 this case. If you chose to represent yourself now,
24 you're going to represent yourself.

1 DEFENDANT MELONGO: Okay.

2 But, right now, my file -- and I
3 will object on the record. I would really object to it.
4 It will be an unfair prejudice to the defendant to have a
5 file tendered to the defendant before the defendant even
6 see what is in the file. This is a lawyer I fired. I
7 don't trust him. Tell me what is confidential and not in
8 my file. I have to see what is in my file to decide if
9 it's confidential or not.

10 THE COURT: That's not up to you to decide.

11 DEFENDANT MELONGO: Okay.

12 THE COURT: Your objection is noted for the
13 record. Objection is overruled and the boxes portion
14 will be tendered to the State. What Mr. Albuquerk has in
15 his hand, that's all the confidential information.

16 MR. ALBUKERK: I believe it is. As you know,
17 it's a fairly big file. I believe I went through it. I
18 diligently hope I didn't make any mistakes. I did the
19 best I could.

20 THE COURT: Hopefully you didn't. State, you
21 go through it, see if there is anything. If you run
22 across anything, I'm instructing you not to review it at
23 all. Stop immediately and set it aside.

24 MR. PODLASEK: I will.

1 THE COURT: Do you understand?

2 MR. PODLASEK: Yes. Judge, there's one box in
3 there, you don't expect us to take the clothes? You
4 don't expect us to take that, do you?

5 THE COURT: No. What does the clothes have to
6 do --

7 MR. ALBUKERK: They're her clothes. I mean, I
8 could, with the Court's permission, there's -- there's
9 someone here in court for Ms. Melongo, I could give her
10 the clothes.

11 DEFENDANT MELONGO: Yes.

12 MR. ALBUKERK: But, those clothes would have to
13 be brought back here obviously for any trial. It's going
14 to be a jury.

15 DEFENDANT MELONGO: I don't even have a trial
16 date now.

17 THE COURT: We don't have a trial date yet.

18 MR. ALBUKERK: The clothes --

19 THE COURT: The name of your friend in the
20 audience is who?

21 DEFENDANT MELONGO: Myeshia Hamilton.

22 THE COURT: Okay.

23 Can you give those clothes to her.
24 That's what you wish, Ms. Melongo?

1 DEFENDANT MELONGO: Yes.

2 THE COURT: Okay.

3 Mr. Albuquerk, you could give those
4 clothes to Ms. Hamilton shortly. All the documents will
5 go to the State for redaction and tender to Ms. Melongo.

6 DEFENDANT MELONGO: Like I say, can I have a
7 copy of the original, because like I say, it's not if I'm
8 going to get a lawyer, it's when I'm going to get a
9 lawyer. I don't want to re-subpoena all those documents,
10 Judge. You really have to be fair on this one. You have
11 to make an original copy, seal it and give it to the next
12 lawyer and redact the information to me so that when the
13 next lawyer come, we don't need to go through the same
14 process of subpoenaing the documents.

15 THE COURT: Okay.

16 That's a fair request. Make
17 copies.

18 MR. PODLASEK: Of the entire box?

19 THE COURT: Of that box.

20 MR. PODLASEK: Judge, that's -- that's fine,
21 Judge. But, I can tell you right now, there's a 30 day
22 to 6 week backlog with the copy department. So, that's
23 how long it's going to take before I could get to redact
24 it.

1 DEFENDANT MELONGO: Everything, those documents
2 don't even need to be redacted. That's why we -- we
3 really have to see what is redactable and what is not.

4 THE COURT: Well, it's going to be the State's
5 job to go through them. They're going to have to go
6 through them.

7 DEFENDANT MELONGO: Then I would --

8 THE COURT: If it's going to take the State
9 that long, then obviously you're going to need some time
10 since you're telling me you're going to get a lawyer.

11 DEFENDANT MELONGO: Let Albuquerk keep my file.

12 THE COURT: You discharged him. He's not going
13 to keep them.

14 DEFENDANT MELONGO: Then my file should be
15 sealed. I don't need anything in my file right now. My
16 file is sealed if the next lawyer comes.

17 THE COURT: No. We're proceeding with the
18 case. Your objection has been overruled. All right.
19 We're here for a date. Now, let's --

20 DEFENDANT MELONGO: No, Judge, I have a motion.

21 THE COURT: Okay.

22 DEFENDANT MELONGO: I have a pending motion for
23 stand by counsel. I want to argue it today.

24 THE COURT: You may proceed, then.

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1 arrest is on October 14th, which is like nine days from
2 now, I would have spent in jail a year and a half. I
3 been charged with a Class 4 felony, six counts run
4 concurrently. So, by October 14th, even in the best case
5 scenario for the State, if I'm getting found guilty for
6 the two cases, the first one, I'm going to get probation.
7 The second one, I'm going to -- I'm going to serve my
8 time. In the present case, it's time with my time. I've
9 already served my time.

10 The third reason why I also need
11 house arrest, the State can testify to it. When I got
12 arrested, I was in the process of renewing my immigration
13 document. Then, that process you need like in person
14 interviews and things have to be taken so that they make
15 a background check on you to see if you have a
16 background.

17 My current incarceration actually
18 impedes on my immigration status. So, I need to renew
19 that immigration -- my immigration document. I cannot do
20 it being in jail.

21 Last, but not least, the fourth
22 reason why I need house arrest is the Cook County Jail.
23 The female division is over crowded. It's not
24 something -- it's not something I saw on t.v. it's

1 actually something I'm witnessing. On a weekly basis,
2 I'm taken to Kankakee which now is profiting from the
3 overflow of the Cook County Jail. So, here I am being
4 charged with two counts. The first count computer
5 tampering, which has obtained a motion to dismiss, seven
6 counts of perjury by the State's witness, prosecutorial
7 misconduct and second charge is which the law has now --
8 the law has found unconstitutional.

9 Here I am, Judge. I'm not a
10 criminal. For a year and a half, I have spent resources
11 that should be spent on real criminals. I'm now asking
12 you to grant me house arrest.

13 To close my argument today, Judge
14 for everything under the sun, there's a time to mourn and
15 there's a time to adjust. There's a time to cry and a
16 time to smile. Judge, my time of crying and mourning is
17 long over due at the Cook County Jail. Today, I'm asking
18 you to give me house arrest so that I could follow my
19 defense, and in the alternative, you could either give
20 the lawyer my bond so that I could bond out or you could
21 even give me I-bond. Thank you.

22 THE COURT: All right. If I were to give you
23 house arrest, where would you stay?

24 DEFENDANT MELONGO: I would stay with my

1 friend.

2 THE COURT: The friend who's in court?

3 DEFENDANT MELONGO: Yes.

4 THE COURT: You have to give me more
5 information. How many people live there? Is it a single
6 family residence, is it an apartment, what is it?

7 MR. PODLASEK: Can we argue before you do that?

8 THE COURT: Absolutely. I have a couple of
9 questions of Ms. Melongo.

10 MR. ALBUKERK: Judge, west a 105th Street in
11 Oak Lawn. It's a condo, second floor. Ms. Hamilton says
12 she's living there alone. I actually know the property.

13 THE COURT: Okay. You've been there,
14 obviously?

15 MR. ALBUKERK: I have, actually. It's
16 actually -- it's owned by a former client of mine, Linda
17 Sheldon.

18 DEFENDANT MELONGO: With all due respect,
19 Albuquerk, stop it.

20 THE COURT: She doesn't wish you to say
21 anything else, at this point. State, you could respond.
22 Thank you.

23 MR. PODLASEK: Judge, just in response
24 Ms. Melongo makes mention of the fact that she's been in

1 Cook County longer than she could have been sentenced for
2 in this case. Her decision to remain in -- her decision
3 to remain in Cook County is her own. All of the
4 continuances have been by agreement or motion defendant.
5 She has elected not to go to trial. This case could have
6 been retried before Judge Brosnahan within a week or two
7 after the jury trial was hung. I don't think that
8 argument should be considered by the Court.

9 But, if the Court is considering
10 house arrest, we would ask that it be -- she have
11 limitations placed on her with access to the internet,
12 given the damage she's done with the internet and the
13 computer before.

14 We understand that she is going to
15 need a computer to write her motions, but to get on the
16 internet and begin again doing what she did in the first
17 case and what we allege she did in the second case --
18 well, for us to bring a third case down the line if we're
19 made aware of it, so we ask that somehow you create -- if
20 you're going to give her house arrest, that she have no
21 access to the internet.

22 THE COURT: I understand your position.

23 DEFENDANT MELONGO: Judge, actually, as far as
24 the litigation goes, each party chooses the tactic that

1 actually benefit him or her. If I made some -- I'm not
2 going to make an -- it's not -- if the Illinois law is
3 ever going to find -- I'm not going to rush to trial
4 before waiting for a higher court to decide in months --
5 actually it's not even going to be a matter of months.
6 Either the appeal or the federal Circuit Court or
7 Illinois Supreme Court is going to make a decision on
8 that. So, I'm not going to -- it would be so foolish on
9 my part to rush to a trial before reaching a decision on
10 each of those higher courts.

11 The second thing the State talks
12 about is limitations; my access to the internet. Judge,
13 go to the internet now, just type Annabel Melongo.
14 There's so much things talked about me on the internet.
15 I'm not the one -- I've been in jail for a year and a
16 half. All that happened when I was in jail.

17 First the State cannot even -- I
18 don't even think that the State can limit what I can
19 get -- what I can do. I don't know why the State -- it's
20 kind of a first amendment right. It's my right to be --
21 I need to re-document my case. Those document
22 informations are on the internet. Those documents and
23 information are in the law library. It's actually the
24 State coming here and saying you have to see the -- give

1 the defendant her first amendment right, right to receive
2 information.

3 THE COURT: All right. Ms. Melongo, let me
4 tell you. If I were to give you -- reduce your bond or
5 give you house arrest or give you electronic monitoring,
6 with special conditions of bond, I'm going to consider --
7 that's something I can do in my lawful authority. I
8 could limit the contact with the internet, with people
9 and with other things as a condition of your bond. If I
10 were to do that, you would have to agree to do that.

11 DEFENDANT MELONGO: Okay.

12 THE COURT: Otherwise, I would not do it.

13 DEFENDANT MELONGO: Okay.

14 THE COURT: And I'll tell you right now, I'll
15 limit or order that you have no contact with the
16 internet.

17 DEFENDANT MELONGO: No, Judge.

18 THE COURT: Think about this.

19 DEFENDANT MELONGO: Judge, you could not do
20 that, with all due respect, because even the information
21 specifically the order that I showed you like with Judge,
22 what's his name, Franklin from Crawford, Illinois, those
23 informations that are relevant to my case on the
24 internet.

1 There's no way I could get access
2 to that information. This opinion was taken from the
3 internet. So, limiting my access -- it was printed from
4 the internet. There's no other way being on house arrest
5 that I could have gotten -- I could have access to this
6 document. So, limiting my access to the internet
7 actually impedes --

8 THE COURT: Did you get it from Lexus.

9 DEFENDANT MELONGO: No, this is not from Lexus,
10 this was posted on -- they have a Crawford judge.
11 Everything on the federal court I would need to rely on.
12 Looking at those cases are limiting my access to the
13 internet right now, also impede on my defense because of
14 the federal appeal that I'm awaiting.

15 Federal district court, all that
16 information I need that's on the website. How I'm going
17 to do it if I don't have access to those documents. They
18 are extremely relevant to my case and defense.

19 THE COURT: All right. What I'm going to do,
20 I'm going to rule on your case and the motion you made on
21 the 13th, which is next Thursday. Does that give you
22 enough time to file your motion you have been holding up.

23 DEFENDANT MELONGO: I could not file it. I
24 still need some time.

1 THE COURT: Can you file it by the 13th?

2 DEFENDANT MELONGO: How long I'm going to type
3 it -- I still need --

4 THE COURT: You could file it handwritten.

5 DEFENDANT MELONGO: I don't want to do that.
6 I'm a perfectionist, Judge. I really need to do things
7 to perfection. I cannot do that. I could not file
8 unless if you get somebody to do it for me. I could file
9 it, but the person has to be picked. I really need some
10 research that I still need to make? I actually have
11 those cases.

12 I still need to read to have
13 perfection to this motion. So, I need to do that, and
14 then once I'm done with this research, I'm going to
15 perfect this motion to dismiss typed and filed.

16 MR. PODLASEK: Judge, her friend, Ms. Hamilton
17 is in court. Maybe she can type it if that's the way
18 Ms. Melongo wants it filed and give me a copy, the Court
19 a copy, and we will be done with it.

20 THE COURT: Well, that's the way she filed her
21 last motion.

22 DEFENDANT MELONGO: I first need to research.
23 My motion to dismiss is ready to go, but I need to
24 perfect my research before I can --

1 MR. PODLASEK: Judge, there's cases --

2 DEFENDANT MELONGO: Judge, let me say --

3 THE COURT: Hold on.

4 MR. PODLASEK: I'm just suggesting if there's
5 some way we can move this along.

6 DEFENDANT MELONGO: Judge, the State pressured
7 me how I have to move my case and stuff. If the State is
8 trying to charge me on something, the State also have to
9 let me -- give me time to prepare my defense. So, the
10 State cannot rush me on something --

11 THE COURT: All right. If you don't want to do
12 that, I'll rule on your motion on the October 13th.

13 DEFENDANT MELONGO: And I really need to make
14 some research on my motion to dismiss. My motion to
15 dismiss is already ready to go, typed, filed and I'm
16 going to present it.

17 THE COURT: All right. October 13th. By
18 agreement.

19 MR. PODLASEK: By agreement.

20 DEFENDANT MELONGO: Thank you, Judge.

21 THE COURT: Is that by agreement, Ms. Melongo?

22 DEFENDANT MELONGO: Yes.

23 MR. PODLASEK: As to all cases?

24 THE COURT: Correct.

1 DEFENDANT MELONGO: Judge, actually, I'm going
2 to -- maybe I don't know if I need to make a proper
3 motion for this. I'm indigent. I need the money to
4 actually order transcripts of my last trial. The
5 State -- the Cook County or the State of Cook County
6 would need to provide funds so that I could --

7 THE COURT: Mr. Albuquerk, did you order that in
8 preparation for trial?

9 MR. ALBUKERK: No, Judge. I never got that
10 far. I was informed that my services were no longer
11 needed a few days after the trial. So, I never ordered
12 the transcripts.

13 THE COURT: Okay. Prepare an order. I'll sign
14 it.

15 DEFENDANT MELONGO: Huh.

16 THE COURT: I'll give you free transcripts for
17 the 13th, not right now. Have it ready for the 13th.

18 DEFENDANT MELONGO: Can I have an order form,
19 please.

20 THE COURT: You could just write it on regular
21 paper.

22 DEFENDANT MELONGO: Okay.

23 MR. ALBUKERK: My presence will no longer be
24 necessary.

1 DEFENDANT MELONGO: Yes.

2 THE COURT: Thank you for your services.

3 You're discharged.

4 MR. PODLASEK: I would like to be discharged
5 also.

6 THE COURT: You have to stay.

7 (Which were all the proceedings
8 had on this day.)
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EXHIBIT O

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS:

IN THE CIRCUIT COURT OF COOK COUNTY
CRIMINAL DIVISION

PEOPLE OF THE STATE OF ILLINOIS)
)
vs.)

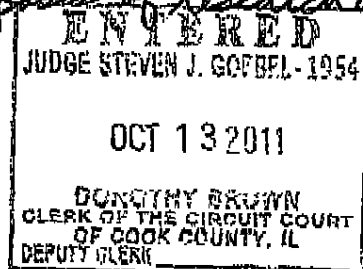
98CR-10502
No. 10CR-080902

ANNABEL K. MELONGO

ELECTRONIC MONITORING ORDER

IT IS HEREBY ORDERED THAT:

1. Defendant shall be placed on the Cook County Sheriff's Electronic Monitoring Program.
2. Defendant shall appear in Court on all scheduled Court dates.
3. Defendant shall report to the Sheriff's Electronic Monitoring Unit as ordered.
4. Defendant shall remain within the confines of his residence 24 hours per day unless prior permission for movement is granted by the Court or the Sheriff's Electronic Monitoring Unit.
5. Any violation of orders of the Court or the rules and regulations of the Sheriff's Electronic Monitoring Program may result in the return of the defendant to the Cook County Jail.
6. Defendant shall pay \$ -0- (fee waived) per day for the use of the electronic monitoring equipment.
7. Defendant is allowed to travel to the Cook County Law Library (5 hours including travel) on Mondays 10am-3pm. Date Entered: _____
8. Defendant may only use the internet for purposes of research only and email usage.



Judge

Judge's Number

EXHIBIT P



Sheriff's Women's Justice Programs
STATUS REPORT OF TREATMENT PROGRESSION

To: Honorable Judge Goebel	Client Name: Annabel Melongo	CCDOC Number: 2010-0414060
Court Date: 11/10/2011	Custody Date: 04/14/2010	D.O.B: [REDACTED]/1972

Current Program: <input checked="" type="checkbox"/> Sheriff Female Furlough Program <input type="checkbox"/> Residential Program - Division 17 <input type="checkbox"/> Mom's Program <input type="checkbox"/> B.A.M.S.	
Admission Date To Program: 10/20/2011	Discharge Date: Pending
Number of Days In Treatment: 22 days	

Urine Screen: # Positive- 0 #Negative-	Date of last urine screen: 10/20/2011 <input type="checkbox"/> pos. <input checked="" type="checkbox"/> neg.
If positive what drug:	
Primary Diagnosis:	Secondary Diagnosis:

Recommendations:

The Cook County Sheriff's Women's Justice Program (SWJP) provides women with a gender responsive integrated model of treatment that empowers them to use healthy coping skills for on-going recovery. The women are empowered to break the cycle of addiction through group and individual treatment services that are trauma informed and focus on substance abuse and mental health needs as well as criminal thinking.

Ms. Melongo was admitted to the Sheriff Female Furlough Program on 10/20/11 and has completed 22 days in our program. She has been an active participant and appears to be responding well to treatment offered to her. Currently, she is participating in the following groups: Stress Management, Maladaptive Thinking, Community Re-Entry, Self-Esteem, Prostitution Anonymous, Coping Skills, Women's Health, Domestic Violence, 12-Steps, Life Skills, Women and Relationships, Yoga, and Expressive Therapy. Ms. Melongo stated she is currently looking for employment opportunities.

The clinical team recommends that upon discharge, Ms. Melongo continue to participate in outpatient treatment in the community, as well as seek out additional community support. She will continue to be eligible for aftercare services at our Empowerment Center.

Exhibit 3

Additional questions-please contact Tange Porter Court Liaison:

Phone: (773) 674-2719 Fax: (773) 674-5252

Counselor Signature, Credentials: 	Date Prepared: 11/9/11
Supervisor Signature, Credentials: 	Date Prepared: 11-9-11


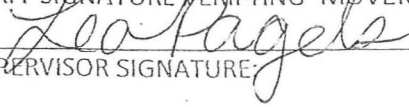
7-21-11-revised

EXHIBIT Q

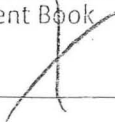
PERMISSION FOR MOVEMENT
1-877-326-9198

DATE COMPLETED: 11/2/11		(Submit 72 hours before movement is needed)	
PARTICIPANT'S NAME: Annabel Melongo		CURRENT PHASE: 1	DOC # 2010-0414060
PARTICIPANT'S HOME ADDRESS: 4020 W. 105th, Oak Lawn, IL 60453			
DATE OF MOVEMENT: 11/7/11		TIME OF APPOINTMENT: 9:00	
TYPE OF MOVEMENT: <input type="radio"/> Emergency <input checked="" type="radio"/> Appointment (Check one)			
LENGTH OF MOVEMENT:	FROM: 9:00	TO: 7:00	
NOTIFY SWJP IMMEDIATELY IF APPOINTMENT CHANGES OR RUNS PAST SCHEDULED TIME!!!! ALSO, BRING VERIFICATION/PAPERWORK AS PROOF OF MOVEMENT!!!!!!!!!!			
ADDITIONAL SPECIAL INSTRUCTIONS FOR PARTICIPANTS: Law library - Court mandate			
REASON FOR MOVEMENT: Researching and working on own case			
ADDRESS/LOCATION OF MOVEMENT: Law library at the Daley Center			
PERSON TO CONTACT:			
PHONE NUMBER FOR VERIFICATION OF MOVEMENT:			
IF YOU HAVE ANY QUESTIONS CALL SWJP AT 877-326-9198 (FAX : 773-674-3962)			

I, Annabel Melongo authorize the Sheriff's Women's Justice Program to verify the above appointment(s) and to follow up with the provider. This consent is given for as long as I am in the program. Staff may discuss any information necessary for me to be successful in the treatment process.

PARTICIPANT'S SIGNATURE: 	DATE: 11-02-2011
STAFF SIGNATURE VERIFYING MOVEMENT: 	DATE: 11-2-11
SUPERVISOR SIGNATURE:	DATE:
STAFF SIGNATURE ENTERING MOVEMENT IN SYSTEM:	DATE:

cc: (1) Movement Book (2) Participant

APPROVED  DENIED _____

REASON FOR DENIAL _____

Exhibit 1

EXHIBIT R

Copy to
File to
Amabel Melargo

Exhibit S

EXHIBIT S

1 STATE OF ILLINOIS)
2 COUNTY OF C O O K) SS.

3 IN THE CIRCUIT COURT OF COOK COUNTY
4 COUNTY DEPARTMENT - CRIMINAL DIVISION

5 THE PEOPLE OF THE
6 STATE OF ILLINOIS)

7 VS)

Indictment No. 10 08092

8 Charge: Eavesdropping Without
9 Consent)

10 ANNABEL MELONGO

11 REPORT OF PROCEEDINGS

12 BE IT REMEMBERED that on the 10th day of November
13 A.D., 2011, this cause came on for hearing before the
14 Honorable STEVEN J. GOEBEL, Judge of said court.

15 APPEARANCES:

16 HON. ANITA M. ALVAREZ,
17 State's Attorney of Cook County, by:
18 MR. ROBERT PODLASEK,
19 Assistant State's Attorney,
20 appeared on behalf of the People;

21 MS. ANNABEL MELONGO,
22 appeared pro se.

23 Brenda D. Hayes, CSR, 084-001226
24 Official Court Reporter
2650 S. California Ave.
Chicago, Illinois 60608

1 THE CLERK: Annabel Melongo.

2 MR. PODLASEK: Judge, for the record
3 Robert Podlasek, spelled P-o-d-l-a-s-e-k, on behalf of
4 the State.

5 MS. MELONGO: Annabel Melongo, pro se.

6 THE COURT: She's pro se, she's representing
7 herself.

8 MR. PODLASEK: Judge, this morning we filed a
9 Motion To Revoke Bond And Electronic Monitoring. I'm
10 handing a copy to Miss Melongo.

11 THE COURT: All right. I'm going to give
12 Miss Melongo an opportunity to review that, as well as
13 myself. We'll pass the case defendant.

14 THE DEFENDANT: Okay. Judge, I also have
15 actually filed my motion to dismiss the case so we have
16 an issue, we don't have like a heavy-duty stapler in the
17 entire building so I will need -- if you can give me an
18 emergency so that I can staple this thing. Nowhere in
19 the law library --

20 THE COURT: We can find one. If you want to
21 file it, that's fine. I see you have do have a metal
22 clip on it.

23 THE DEFENDANT: You want it stapled. I want to
24 staple it.

1 THE COURT: Well, I'm telling you you can file
2 it that way. Okay? So if you want to file it you can
3 hand it up to me right now. Do you wish to file it?

4 THE DEFENDANT: I would like --

5 THE COURT: You're not going to file it. Pass
6 it for the motion to revoke your electronic monitoring.
7 Have a seat and review it.

8 THE DEFENDANT: Okay.

9 (Other cases were called
10 and heard.)

11 THE CLERK: Annabel Melongo.

12 THE COURT: All right. Both sides are present.

13 THE DEFENDANT: Okay, Judge, like I say I
14 received this motion actually less than an hour ago so I
15 would need time to respond to it because everything
16 stated is kind of false. I have the documents and I need
17 to answer to the motion and attach those documents.

18 Yesterday I actually received this letter
19 from the EM program, it was addressed to me. It say I'm
20 in good standing, there's no violation. So they say I
21 violated the EM program and I need the document to attach
22 to this. This is the letter, they asked me to give it to
23 you.

24 THE COURT: Well, they're saying you violated

1 not because of anything specific to the monitor, they're
2 saying you took a file from your former attorney.

3 THE DEFENDANT: Judge, I cannot argue the
4 motion now. I really need to -- because I need to order
5 the hearing because Mr. Albuquerk is accusing me of
6 stealing a file that belonged to me so I have to order
7 the transcript of the court hearing and attach it to my
8 motion replying to this motion. I really need two weeks
9 to reply to this motion.

10 THE COURT: All right. Well, the issues seem
11 to me to be something can you address now. They are
12 simple issues and you can address them and we're going to
13 have a hearing today.

14 THE DEFENDANT: Okay. You said the question is
15 not unauthorized movement, right?

16 THE COURT: Well, what's alleged in the
17 petition is that you took a file from Mr. Albuquerk's
18 office and it was outside of my order is what's alleged.

19 THE DEFENDANT: I have an e-mail exchange with
20 Mr. Albuquerk on the file and the I have also a document
21 allowing me to go to Albuquerk's place from the EM, I have
22 that document too. And I don't -- This one took me by
23 surprise. I don't have those documents with me and
24 that's why I need to reply to the motion and attach those

1 documents with me.

2 THE COURT: All right. Mr. Podlasek.

3 MR. PODLASEK: I talked to Officer Clark at
4 Women's Monitoring this morning, about a half hour ago.
5 She indicated after looking at Miss Melongo's file that
6 she does not have any orders in there allowing her to
7 travel anywhere except your order of October 13th.

8 THE DEFENDANT: That's not true, Judge. That's
9 not true. This is a document I received yesterday saying
10 that I'm in good standing. If they had an unauthorized
11 thing that I do it would have been there. It was signed
12 yesterday around 2:00 o'clock and the incident that's
13 addressing happened Monday.

14 MR. PODLASEK: Between 3:30 and 4:30 I'm told,
15 Judge, at 1450 West Randolph, which as you know is not
16 the Daley Center, not the law library.

17 THE DEFENDANT: And that's why I say I have the
18 document allowing me to go to Nick Albukerk's place, I
19 have that document. The order, the EM order, say I have
20 to follow your condition and I also have to follow their
21 condition so if they granted movement I have to, those
22 are movements they grant to me, that's what the EM order
23 say.

24 THE COURT: And you have -- What is it, an

1 e-mail or what do you have?

2 THE DEFENDANT: To refute this e-mail, Albuquerk
3 is accusing me of taking a file, stealing a file from him
4 and I have the e-mail exchange where he actually lured me
5 go to his office because I told him, come, let's meet at
6 the Daley Center. He said he didn't have time, I have to
7 go to his office and I have that e-mail and I also have
8 the document, the EM letting me -- giving me permission
9 to go to Albuquerk's place and I also have proof to show
10 that the file that he's actually accusing me of stealing,
11 you cannot accuse somebody of stealing something that
12 belong to them and I didn't even steal it. Actually the
13 file has a note saying copy file, give to Annabel
14 Melongo. I have that note and it's in my house. I'm
15 going to attach everything to the exhibit.

16 THE COURT: Is Mr. Albuquerk here today?

17 MR. PODLASEK: He's not.

18 THE COURT: I'll tender that document to the
19 State as well so the State can make a copy of it and
20 tender the original back to Miss Melongo.

21 THE DEFENDANT: So I will need two weeks
22 because I'm going to go --

23 THE COURT: No. I'm going to give you until
24 Monday.

1 THE DEFENDANT: Until Monday?

2 THE COURT: Yes.

3 THE DEFENDANT: I need to order the transcript
4 because Albuquerk says the file belongs to him and we can
5 only have evidence what happened during the court hearing
6 that the file belonged to me and has to be given to me so
7 I need to order that transcript.

8 THE COURT: The transcript has nothing to do
9 with the hearing.

10 THE DEFENDANT: Okay. That's fine.

11 THE COURT: November 14th, Monday.

12 THE DEFENDANT: Okay. Come Monday?

13 THE COURT: This Monday. By agreement,
14 November 14th. We're going to have a hearing on that
15 date. Bring all your documents.

16 THE DEFENDANT: Okay. I'll do that.

17 THE COURT: Here's your original report.

18 THE DEFENDANT: Thank you, Judge.

19

20 (The above-entitled matter
21 was continued to
22 November 14, 2011.)

23

24

1 STATE OF ILLINOIS }
2 COUNTY OF C O O K }
3
4
5 SS:

6
7 IN THE CIRCUIT COURT OF COOK COUNTY
8 COUNTY DEPARTMENT-CRIMINAL DIVISION
9

10 I, BRENDA D. HAYES, Official Court Reporter for
11 the Circuit Court of Cook County, Cook Judicial Circuit
12 of Illinois, do hereby certify that I reported
13 stenographically the proceedings had on the hearing in
14 the above entitled cause; that I thereafter transcribed
15 said hearing into typewriting, which I hereby certify to
16 be a true and accurate transcript of the proceedings had
17 before the Honorable STEVEN J. GOEBEL, Judge of said
18 court.
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OFFICIAL COURT REPORTER

EXHIBIT T

COOK COUNTY SHERIFF'S OFFICE

Received Property Receipt

Date: 11/10/2011

Time: 5:07 PM

Page: 1 of 1

Name: MELONGO ANNABEL

Inmate #: 610415

Booking #: 20100414060

Assigned Cell RCDC TRANSFER

Receipt Number: 568143

Inmate Money

	1's	2's	5's	10's	20's	50's	100's	Other Total	Total
Cash Bills Count:	0	0	0	0	0	0	0	\$0.00	\$0.00
Cash Coins Total:	\$0.00								
Cash Total:	\$0.00								
Cash Left In Property:	\$0.00								
Cash To Commissary:	\$0.00								
Check To Commissary:	\$0.00								
Check Number:									

Quantity:	Description:	Color:	Location:
1	SEALED PROPERTY BAG	Clear	RCDC
Notes			

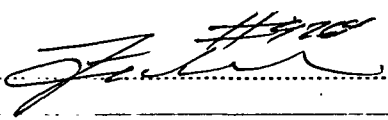
Property Received Date: 11/10/2011

Property Received Time: 5:07 PM

Property Officer Badge: RFalcon

Property Transfer Agency:

Property Transfer Officer Badge:

Officer: 

Officer: _____

I do hereby acknowledge that the property record contained on this form(s) is accurate.

Inmate (Booking): Date: 

Property left at the Cook County Jail for longer than 90 days after your release/transfer will be destroyed.

EXHIBIT U

1 IN THE CIRCUIT COURT OF THE COOK JUDICIAL CIRCUIT
2 COOK COUNTY, ILLINOIS

3
4 THE PEOPLE OF THE)
5 STATE OF ILLINOIS)
6 vs.) NO. 10 CR 0809201
7 ANNABEL MELONGO,)

8
9 REPORT OF PROCEEDINGS of the hearing
10 before HON. STEVEN GOEBEL on the 14th day of
11 November 2011.

12
13 APPEARANCES:

14 HON. ANITA ALVAREZ,
15 State's Attorney of Cook County, by
16 MR. ROBERT PODLASEK
17 Assistant State's Attorney,
18 appeared for the People;

19 MS. ANNABEL MELONGO, defendant,
20 appeared pro se.

21 DIONE R. RAGIN
22 2650 S. California Ave., 4C02
23 Chicago IL 60608
24 Official Court Reporter
 C.S.R. #084-004066

1 THE COURT: Annabel Melongo

2 THE COURT: All right. Good afternoon, Ms.
3 Melongo

4 THE DEFENDANT: Good afternoon, judge.

5 THE COURT: Mr. Podlasek, your name for
6 the record.

7 MR. PODLASEK: For the record Robert
8 Podlasek, P-o-d-l-a-s-e-k, on behalf of the state.

9 THE COURT: All right.

10 The case is here on the state's motion to
11 revoke bond and electronic monitoring.

12 Ms. Melongo, you were taken into custody
13 since the last court date.

14 MS. MELONGO: Yes.

15 Actually can I address it while I argue my
16 motion because Mr. Podlasek did something unethical
17 after the hearing.

18 And when I go through to my argument I am
19 going to talk about it.

20 THE COURT: All right.

21 Are both sides ready to proceed on the
22 motion?

23 MR. PODLASEK: Which motion?

24 THE COURT: The motion to revoke bond and

1 electronic monitoring.

2 MS. MELONGO: Judge, my friend has all my
3 exhibits and I need those for my argument.

4 THE COURT: All right.

5 MS. MELONGO: And we also need some ten
6 minutes so I can put everything together.

7 THE COURT: Ms. Hamilton, you can step up.
8 Please hand it to State's Attorney.

9 Please, hand to the sheriff so he can make
10 sure.

11 THE DEPUTY: These metal clips need to be
12 taken out.

13 MS. MELONGO: Can those -- those are my
14 motion to dismiss.

15 I filed my motion.

16 THE COURT: I did see you had filed your
17 motion to declare the statute unconstitutional and
18 to dismiss.

19 MS. MELONGO: For the record, judge, I am
20 giving a copy to Mr. Podlasek.

21 MR. PODLASEK: Acknowledge receipt, judge.

22 MS. MELONGO: Do you need a copy? I think
23 a copy is in the file.

24 THE COURT: Apparently you filed it

1 already or Ms. Hamilton filed it on your behalf.

2 MS. MELONGO: It was filed today.

3 THE COURT: Apparently the sheriff is
4 going to take those metal clamps out of the
5 documents and then he will hand those to you.

6 MS. MELONGO: This one you can hand that
7 back those.

8 I just need ten minutes to prepared my
9 argument and I will be back.

10 THE COURT: You need ten minutes.

11 All right.

12 We'll pass for ten minutes.

13 MS. MELONGO: I need a pen too please.

14 THE COURT: Do you have a pen back there
15 for her.

16 THE DEPUTY: I will see if I can find a
17 pen.

18 THE COURT: We'll find a pen for you.

19 (The matter was passed and recalled.)

20 THE CLERK: Annabel Melongo.

21 THE COURT: All right.

22 Ms. Melongo is back before the court
23 again.

24 Before we begin this motion, I have read

1 through obviously the allegations on file.

2 Ms. Melongo I am going to ask you
3 basically a question and I am not assuming you have
4 the file because I haven't heard the evidence.

5 But if you have the file and you agree to
6 return it, I will let you back out again on EHM.

7 MS. MELONGO: Okay.

8 THE COURT: All right.

9 MS. MELONGO: Yes.

10 THE COURT: Do you understand?

11 MS. MELONGO: Yes.

12 THE COURT: Will you return the file then?

13 MS. MELONGO: Yes.

14 THE COURT: All right.

15 MR. PODLASEK: State has no objection.

16 THE COURT: All right.

17 The 17th.

18 MS. MELONGO: You wouldn't argue the
19 motion.

20 THE COURT: There is no need to argue the
21 motion.

22 I am going to let you back out if you
23 bring the file.

24 So the motion has become moot.

1 MS. MELONGO: Yes, but then I have two
2 issues to address.

3 THE COURT: Go ahead.

4 MS. MELONGO: First Mr. Albukerk is
5 claiming the file is his.

6 I am claiming the file is mine because Mr.
7 Albukerk was fully paid his \$10,000 legal fee.

8 THE COURT: This is what we are going to
9 do.

10 You are going to file bring the file in on
11 the 17th.

12 You can make an argument at that time.

13 State will have Mr. Albukerk here.

14 I am going to ask the state to notify Mr.
15 Albukerk to be here on the 17th.

16 And I will determine what if anything you
17 get from that file.

18 MS. MELONGO: Thank you.

19 THE COURT: Okay.

20 All right.

21 What's your second issue?

22 MS. MELONGO: The second issue you is what
23 Mr. Podlasek did on last Thursday.

24 THE COURT: Well, what he did or didn't

1 do, I am not going to hear at this time because the
2 issue at this point is moot if you are going to
3 bring back the file.

4 Okay.

5 Then you have to address it another way.

6 Okay.

7 MS. MELONGO: Can somebody fax the new
8 order to the EM so that everything speed up.

9 Now that I have been actually they never
10 received EM orders.

11 The division just called them and that's
12 why everything is so slow.

13 But if somebody fax them the EM order
14 today, tomorrow, or day after so that I don't need
15 to wait like a week or so like we did the last
16 time.

17 THE COURT: All right.

18 I am going to ask you --

19 Do we have the blank order form.

20 MS. MELONGO: I have the fax number here.

21 THE COURT: All right.

22 You are going to have to prepare your own
23 order form and show it to the State's Attorney.

24 MS. MELONGO: I have the old order.

1 THE COURT: And then it will have to be
2 sent over placing you back on electronic home
3 monitoring.

4 You can have an order placing yourself
5 back on electronic home monitoring.

6 MS. MELONGO: This is an old order.

7 THE COURT: That's the original order.

8 Well, I need an order now stating that I
9 am placing you back on electronic home monitoring
10 representing yourself so you have to write the
11 order.

12 MS. MELONGO: Can I have this original.

13 THE COURT: That will be attached.

14 That original order will be attached.

15 Put in your order that the original order
16 is attached and those are the conditions that are
17 still in place.

18 Okay.

19 MS. MELONGO: Okay.

20 THE COURT: Please let Ms. Melongo have a
21 pen and an order form so she can draft an order.

22 17th.

23 November 17th by agreement.

24 Replaced on EM.

1 It's reinstated.

2 (Which were all the proceedings
3 had in the above entitled cause.)

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1 IN THE CIRCUIT COURT OF THE COOK JUDICIAL CIRCUIT
2 COOK COUNTY, ILLINOIS
3
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5

6 I, DIONE R. RAGIN, Official Court Reporter of
7 the Circuit Court of Cook County, do hereby certify
8 that I reported the proceedings had in the
9 above-entitled cause, that I thereafter caused the
10 foregoing to be transcribed into typewriting, which
11 I hereby certify to be a true and accurate
12 transcript of the proceedings had on this date.

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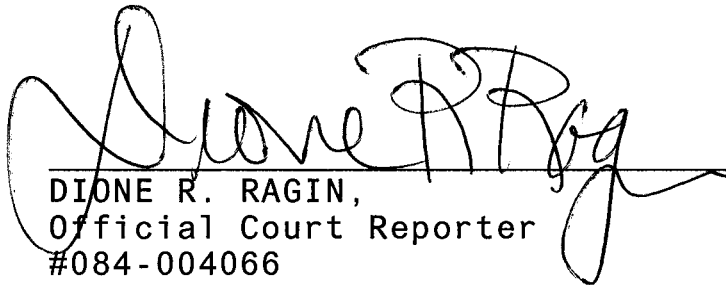

DIONE R. RAGIN,
Official Court Reporter
#084-004066

EXHIBIT V

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

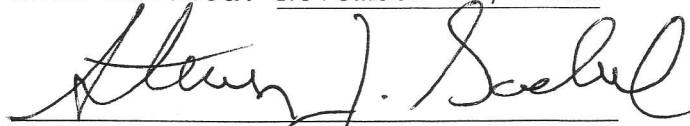
IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CRIMINAL DIVISION

PEOPLE OF THE STATE OF ILLINOIS)
) 08CR-1050201
) 10CR-809201
)
)
ANNABEL MELONGO)

ELECTRONIC MONITORING ORDER

1. Defendant shall be placed on the Cook County Sheriff's Electronic Monitoring Program.
2. Defendant shall be on Non-Reporting Status and shall not leave her home except on Mondays between 10:00 a.m. and 3:00 p.m. for the sole purpose of travelling to and from the Cook County Law Library located in the Daley Center.
3. Defendant shall appear in Court on all scheduled Court Dates.
4. Defendant shall report to the Sheriff's Electronic Monitoring Unit as ordered.
5. Defendant shall remain within the confines of her residence 24 hours per day unless prior permission for movement is granted by the Court or the Sheriff's Electronic Monitoring Unit.
6. Any violations of the Sheriff's Electronic Monitoring Program may result in the return of the defendant to the Cook County Jail.
7. Defendant shall pay \$-0-(fee waived) per day for the use of the electronic monitoring equipment.
8. This order specifically applies to both of Defendant's active cases 10CR-809201 and 08CR-1050201.

Date Entered: November 21, 2011



Judge Judge's Number
STEVEN J. GOEBEL 1954
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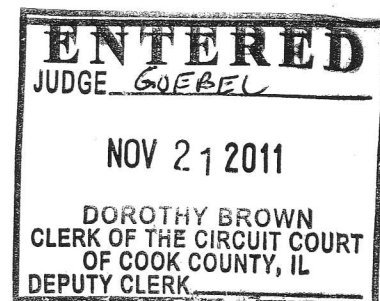


EXHIBIT W

1 STATE OF ILLINOIS

2 COUNTY OF C O O K

3

4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - CRIMINAL DIVISION

5 THE PEOPLE OF THE STATE)
OF ILLINOIS)

6)
Plaintiff,)

7)
vs.)

8) No. 10 CR 08092
ANNABEL MELONGO,)

9)
Defendant.)

10

11 REPORT OF THE PROCEEDINGS had at the
12 hearing in the above entitled cause before the
HONORABLE STEVEN GOEBEL, Judge of said Court, on
13 the 30th day of November, 2011.

14

PRESENT:

15

HONORABLE ANITA M. ALVAREZ ,
16 STATE'S ATTORNEY OF COOK COUNTY, by:
UNIDENTIFIED
ASSISTANT STATE'S ATTORNEY
appeared on behalf of the People;

17

18 ABISHI C. CUNNINGHAM, JR.
PUBLIC DEFENDER of Cook County, by:
19 UNIDENTIFIED
ASSISTANT PUBLIC DEFENDER,
20 appeared on behalf of the Defendant.

21

22

23 MICHELLE M. PIZZOFRATO
OFFICIAL COURT REPORTER
24 License No. 084-001963

1 THE CLERK: Annabel Melongo.

2 THE COURT: I don't know if the State updated
3 the information. I am not sure the State knows
4 which room to go to.

5 Annabel Melongo's case was here today.
6 Ms. Melongo just got back out of custody from a
7 violation. I said if she brought the file back in
8 today we would not proceed on the violation. Do you
9 have the file?

10 THE CLERK: Yes.

11 THE COURT: I will not look at it I will keep it
12 sealed. And I will have Mr. Albukirk notified. Also
13 for the record something was forwarded to me from
14 the Sheriff's Department that is part of Ms.
15 Melongo's personal file and I will give that to her.
16 And it was taken when she was violated on the .

17 THE DEFENDANT: If you can make a copy and give
18 it back to me.

19 THE COURT: I will have Mr. Albukirk here and we
20 will deal with it.

21 THE DEFENDANT: I have a couple of motions. I
22 made an amended motion to dismiss because we -- I
23 filed it the first time I was in jail so some parts
24 were duplicated and it was some typed, everything

1 nice and clean.

2 THE COURT: Have you filed it yet?

3 THE DEFENDANT: Yes.

4 THE CLERK: She just filed it and put it in my
5 bin.

6 THE DEFENDANT: There is nobody here to pick up
7 the file.

8 THE COURT: You can leave it with the Clerk.

9 THE DEFENDANT: The motion to dismiss the charge
10 for the record.

11 THE COURT: And did you file that upstairs as
12 well?

13 THE DEFENDANT: And I have a motion memorandum
14 why I got arrested.

15 THE COURT: In the future when you have
16 something file it in front of me in the court room.
17 Give those to the Clerk and those will be State's
18 copies.

19 THE DEFENDANT: There is a motion to request
20 this one I asked to be heard this coming Wednesday.

21 THE COURT: So you want to go on this coming
22 Wednesday?

23 THE DEFENDANT: I want to come here and ask for
24 the hearing.

1 THE COURT: We will hold it over until Wednesday
2 and that will be December 7th by agreement.

3 THE DEFENDANT: Yes.

4 STATE'S ATTORNEY: Yes.

5 THE DEFENDANT: And Judge, thank you for putting
6 me on EM.

7 (WHICH WERE ALL THE PROCEEDINGS HAD IN
8 THE ABOVE ENTITLED CAUSE.)
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1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF C O O K)

4 IN THE CIRCUIT COURT OF COOK COUNTY,
5 COUNTY DEPARTMENT - CRIMINAL DIVISION

6 I, Michelle M. Pizzoferrato, Official Court
7 Reporter of the Circuit Court of Cook County,
8 Criminal Division- Third Municipal District, do
9 hereby certify that I transcribed the foregoing
10 Report of Proceedings from the notes of G.Clark,
11 a Certified Shorthand Reporter, and that the
12 foregoing is a true and correct transcript of said
13 Report of Proceedings as appears from the stenotype
14 notes had before the Honorable Steven Goebel,
15 Judge of said court.

16

17

18

19 Dated this 6th day of November, 2012.

20

21

22

23

24

25

Michelle M. Pizzoferrato

EXHIBIT X

1 STATE OF ILLINOIS)
2) SS:
COUNTY OF C O O K)

3 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
4 COUNTY DEPARTMENT - CRIMINAL DIVISION

5 THE PEOPLE OF THE STATE)
6 OF ILLINOIS)
7 vs.) No. 10-CR-08092-01
8 ANNABEL MELONGO)

9
10 REPORT OF PROCEEDINGS had at the
11 hearing in the above-entitled cause before
12 the HONORABLE STEVEN J. GOEBEL, Judge of said court,
13 on the 7th day of December 2011.

14 PRESENT:

15 HONORABLE ANITA M. ALVAREZ,
16 STATE'S ATTORNEY OF COOK COUNTY, by:
17 MR. ROBERT PODLASEK,
ASSISTANT STATE'S ATTORNEY,
appeared on behalf of the People;

18 The Defendant Annabel Melongo appeared pro se.

19
20
21 Annette M. Golab
22 Official Court Reporter
License No. 084-001693
23
24

1 THE CLERK: Annabel Melongo, Sheet 1, Judge Goebel's
2 call.

3 MR. PODLASEK: Good morning, Judge. For the record
4 Robert Podlasek, P-o-d-l-a-s-e-k, on behalf of the State.

5 THE DEFENDANT: Defendant Annabel Melongo, pro se.

6 THE COURT: Last time up, Mr. Podlasek, I don't
7 believe you made it to court.

8 MR. PODLASEK: I was in court. I was waiting for a
9 call back. We never located you.

10 THE COURT: I don't think they put it on the
11 information line. Miss Melongo filed some motions last
12 time. Do you want to relate what you filed?

13 THE DEFENDANT: Last time I filed an amended motion
14 to dismiss, a motion to sever charges and a motion to
15 request movement.

16 THE COURT: What is your motion to request movement?

17 MR. PODLASEK: I don't have a motion for movement.
18 Do you have extra copies?

19 THE DEFENDANT: I gave it to her.

20 MR. PODLASEK: Judge, I haven't seen the motion.

21 THE COURT: You can look at the Court's copy. We
22 can pass this.

23 MR. PODLASEK: Judge, I have two files here from
24 Mr. Albuquerk's files that I will turn over to

1 Miss Melongo. I am still going through the rest of them.

2 THE DEFENDANT: Okay.

3 THE COURT: From who?

4 MR. PODLASEK: From Mr. Albuquerk's file. You asked
5 me to go through the file and redact.

6 THE COURT: Okay, the discovery, because I had
7 Mr. Albuquerk's file that was the subject of the prior
8 motion, so to speak, to terminate her electronic home
9 monitoring. I have that, but I don't see Mr. Albuquerk
10 here.

11 MR. PODLASEK: This is Mr. Albuquerk's.

12 THE COURT: You are tendering discovery today?

13 MR. PODLASEK: I am tendering back Mr. Albuquerk's
14 file in part.

15 THE COURT: With it redacted?

16 MR. PODLASEK: No, there is nothing redacted on
17 these. Nothing needs to be redacted.

18 THE DEFENDANT: Judge, I want to make a small
19 observation. Actually, it was October 13th when
20 Mr. Podlasek requested to have the file and then he
21 requested for five weeks. Today is December 7th, and it
22 is almost seven weeks. Actually, Mr. Podlasek should be
23 done with all of the redaction. So I don't know why it
24 takes so long, and I need my file now. It really takes

1 really long. I don't think everything that is in the
2 file, I don't think everything need to be redacted
3 because I went through the subpoenas maybe like six
4 subpoenas, and I don't know why it should take so long to
5 recact all those. I need the CD for the website, the
6 discovery, the motion filed by Mr. Albuquerk. I have none
7 of those stuff, and these things don't need redaction.

8 THE COURT: What about those items?

9 MR. PODLASEK: I haven't gone through the rest of
10 the file. We had it copied by our copy center. I
11 believe I represented to the Court I was told it would
12 take approximately six weeks to copy everything. We have
13 one individual copying for the entire office at this
14 point.

15 THE COURT: What about the CDs?

16 MR. PODLASEK: I haven't looked at the CDs yet. I
17 don't know what is on them.

18 THE DEFENDANT: Judge --

19 THE COURT: I thought those were items you tendered
20 in discovery?

21 MR. PODLASEK: I don't know if they are or not, to
22 be honest. They don't look like my writing. They may
23 have been my predecessor. She is no longer in the
24 office.

1 THE COURT: Just tender those back. I am sure there
2 is nothing that is private.

3 MR. PODLASEK: They probably aren't. Before I
4 tender it I would like to verify it and if there is
5 anything I would bring it to the Court's attention.

6 THE COURT: I understand the delay with your copying
7 department. However, the CDs I want tendered back to
8 her.

9 MR. PODLASEK: Fine.

10 THE COURT: I will pass this case so you can look
11 through the files for motions. Apparently, Miss Melongo
12 did not actually file them with the Court. She went up
13 and filed them in the Clerk's Office on the Fifth Floor.
14 Miss Melongo, did you leave copies for the State?

15 THE DEFENDANT: I did leave copies.

16 THE CLERK: They are in the file, Judge.

17 THE COURT: Give those copies to the State's
18 Attorney and we will pass this case and recall it. You
19 can have a seat, Miss Melongo.

20 THE DEFENDANT: I will make an observation. Also,
21 the motion filed by Mr. Albuquerk, we don't need any kind
22 of redaction, the motion filed by Mr. Albuquerk on my
23 behalf. I don't know why Mr. Podlasek needs to redact
24 those motions. I also need all those motions.

1 THE COURT: You will get those. They are part of
2 the criminal discovery in the case, and you will get all
3 of those.

4 (Whereupon, the case was passed.)

5 * * * * *

6 THE CLERK: Annabel Melongo, Sheet 1.

7 MR. PODLASEK: I had a chance to review the motions.
8 The motion to sever, I don't think the charges were
9 joined. They are two separate cases. I am not quite
10 sure I understand the motion to sever the charges.

11 THE COURT: What Mr. Podlasek is saying they are not
12 seeking to join these charges. These cases will be tried
13 individually. You already had a trial where the jury was
14 hung and the charges were not joined. And there is no
15 motion in front of me to join the charges.

16 So the motion to sever is moot at this point,
17 the State having no intention of joining these charges or
18 asking to join them.

19 THE DEFENDANT: Can I explain my motion for the
20 charges why I did that motion, because this is for the
21 computer tampering and this is for the eavesdropping.
22 They are actually running concurrent. They are the same
23 trial. It is like every time I come here two days.

24 THE COURT: They are both up, but the elected case

1 is the eavesdropping case. The State elected on that
2 case. But every time you appear both cases are up.
3 Therefore, they are getting dates at the same time.

4 THE DEFENDANT: Okay.

5 THE COURT: You are showing me a computer printout
6 of the Clerk's computer system. Both cases are up. That
7 doesn't mean they are joined, but they have to be up.
8 They can't just fall by the wayside. So both cases are
9 up. We are dealing with both cases every time the case
10 is up. However, the elected case is the eavesdropping
11 case.

12 THE DEFENDANT: One final observation. There are
13 also some entries in the documents that are not correct.
14 This is like a motion filed by Mr. Albuquerk. Actually,
15 that date Judge Brosnahan also granted this motion. If
16 you remember I was telling you every time that Albuquerk
17 motion to withdraw was a long time granted. This was in
18 none of those dockets. Actually, you don't even see this
19 motion. This motion is showed on June 16th, which is
20 completely not what actually happened. Albuquerk filed
21 this motion and it was granted by Judge Brosnahan, and
22 none of those documents have that. So I don't know.

23 THE COURT: What is it, a motion to withdraw?

24 THE DEFENDANT: This is the motion, Judge, and those

1 are the court file. None of that is in there.

2 THE COURT: It is a matter of record. It is in the
3 court file, and his motion to withdraw is both on record
4 and in the court file. So what are you trying to say?

5 THE DEFENDANT: I actually want to correct it.

6 THE COURT: Mr. Albuquerk is not in the case any
7 more. So the motion to withdraw was never ruled on
8 officially because you opted to go pro se. Once you went
9 pro se you are allowed to do that. I properly admonished
10 you, and you are now pro se. So the motion to withdraw
11 has no relevance. Next?

12 MR. PODLASEK: There is a memorandum entitled why
13 the defendant was temporarily incarcerated and released.
14 It is not seeking any kind of relief. It is just nothing
15 but unsubstantiated facts rambling on through this,
16 including accusations against both Mr. Albuquerk and
17 myself.

18 At this point I am going to be asking my office
19 to remove me from this case and assign another Assistant
20 State's Attorney based on what I consider some very
21 serious accusations in here. And the only reason I can
22 see, for the record, that this was filed is so it can be
23 made part of a public record, period. There is no other
24 basis for filing this.

1 THE DEFENDANT: Judge, actually, that is a
2 memorandum, and that's exactly, I wanted it to be part of
3 the public record because Mr. Podlasek sent me two weeks
4 in jail for no reason whatsoever. He never checked the
5 e-mail that was retrieved. He never checked the
6 authorization.

7 THE COURT: Stop. We are not going to get into all
8 that. I decided on my own that after reviewing the
9 State's petition that if you returned the file, which you
10 agreed to do, that I would then readmit you to electronic
11 home monitoring. So those issues are no longer before
12 me. I am not concerned with those issues. I looked
13 simply at the State's petition, determined on my own if
14 you return the files to Mr. Albukerk, which you did
15 tender to me the last court date, and Mr. Albukerk is not
16 here so I have not returned it to Mr. Albukerk yet and I
17 have not looked at it, that I would let you out on
18 electronic home monitoring. Those issues are not before
19 me, and we are not going to get into those issues at the
20 present time. Next motion?

21 MR. PODLASEK: Judge, I need time to send this down
22 to our Appellate Division. They may want to respond to
23 the motion to declare the statute unconstitutional and to
24 dismiss.

1 THE COURT: You are seeking some assistance from
2 your Appellate Division?

3 MR. PODLASEK: I am. I don't know what their
4 schedule is like down there. So it may take a bit of
5 time.

6 THE DEFENDANT: I am kind of confused. What is he
7 seeking from the Appellate Division? He has to respond
8 to it or the State's Attorneys. I don't know what he has
9 to go to the Appellate Court.

10 THE COURT: That's up to him, and I will allow him
11 to do that, Miss Melongo. I will not let him take a long
12 long time either.

13 MR. PODLASEK: We are not asking for a long time.
14 We are asking for a 30-day date. In the meantime, I will
15 finish up redacting the file, and Miss Melongo can come
16 down to my office and it will be available for her to
17 pick up from the receptionist.

18 THE COURT: And your final motion was what, a motion
19 to travel?

20 MR. PODLASEK: I don't have that one.

21 THE DEFENDANT: You can have this one. A motion to
22 request movement like, Judge, like you only gave me one
23 movement that is on Monday to go to the law library. I
24 have some other issues. I have some medical issues.

1 Like I was incarcerated and they have like Cermak Health
2 service like a hospital. But once you are out of the
3 jail you have to go back to Stroger and be admitted so
4 that they can forward all your medical issues to Stroger.
5 So now when I got out I had some lab tests. Remember
6 like I had a surgery. I have to do follow-up and do
7 tests. So I had some lab tests and CT scans I had to do.
8 So I cannot go to Cermak any more. So I have to go to
9 Stroger and get admitted and go to all those
10 appointments.

11 Then there are also a lot of issues like one of
12 the reasons I get EM is to go on with my litigation
13 issue. Also, things like simple like grocery shopping or
14 buying stuff. I cannot do those things, and I am not
15 going to ask the lady with whom I am living to do those
16 things for me because she has her own life and she has
17 been graceful to come here when I was in jail. Now that
18 I am out I want to relieve her with that stuff. What I
19 am asking, Judge, is give me one day of movement per week
20 so I can put everything I have to do, I can just put it
21 on that day and then do my appointment and stuff so that
22 I won't come here every time to ask for a single movement
23 or something like that. Because I really need movement
24 to do my own stuff. Like I said, if you can just give me

1 like every Friday this is your movement date to go to
2 immigration, go to Stroger, to do your shopping, all that
3 kind of stuff. That's the only thing I am asking.

4 THE COURT: What is your position?

5 MR. PODLASEK: The State would object. The entire
6 point of her being on EM is basically she has to be under
7 house arrest. You were nice enough to give her movement
8 to the Cook County Law Library so she can represent
9 herself. The Sheriff's Office also has the authority to
10 allow her to make outside movements at her request if
11 there is a necessity such as medical needs. She can make
12 the request directly to them.

13 Frankly, if there is another order there is
14 going to be a lot of confusion down at the Sheriff's
15 Office.

16 THE COURT: If she needs medical or doctor treatment
17 I will allow that. I will not give Miss Melongo every
18 Friday. As I explained to you when I put you on
19 electronic home monitoring that I wasn't going to give
20 you additional time to go shopping. That wasn't the
21 purpose of me putting you on electronic home monitoring.
22 Not to be rude, I don't care if you have time to shop or
23 not. But Miss Hamilton, who was with you at the time I
24 put you on electronic home monitoring, basically agreed

1 she would do those things for you. It doesn't matter to
2 me whether or not you want her to do it or not. What I
3 will give you is time to do medical appointments. So any
4 doctors' appointments, medical appointments and to a very
5 limited extent any immigration issues that you need to
6 deal with, I will allow you to do that as well. So an
7 order would need to be prepared allowing you to go to
8 doctors' appointments and medical appointments that can
9 be verified by the Sheriff's Department as well as
10 immigration appointments that can be verified.

11 There are two ways. They can either monitor it
12 or you can come in when you know you have these
13 appointments and have an order prepared and Mr. Podlasek
14 would review it and I would review it and then sign it.
15 Those are the only ways that would happen. It can be
16 Sheriff monitored or done on a weekly basis or
17 semi-weekly basis where you come into court and I will
18 say yes or no.

19 THE DEFENDANT: EM order, actually Mr. Podlasek
20 never gave me the new EM order. He went behind my back.
21 I just heard that you have a new order. So I don't know
22 what is the new order.

23 THE COURT: So the record is clear, the order you
24 prepared was totally inappropriate and I had to tear it

1 up because you added things I told you not to add, and it
2 was put in the garbage can. Quite frankly, the fact that
3 you are out is because I then requested Mr. Podlasek to
4 prepare an accurate order, which he then did for the
5 Court, because I wanted -- it was my order that you be
6 gotten out of jail and placed or readmitted onto
7 electronic home monitoring. So Mr. Podlasek actually
8 complied with my order, and actually that's the reason
9 you are out because he prepared an accurate order.
10 Whereas your order was completely inaccurate and was torn
11 up. Don't be blaming Mr. Podlasek for anything related
12 to that. Next?

13 THE DEFENDANT: Can I have a copy of the EM order,
14 please?

15 MR. PODLASEK: I will see if I have a copy here. I
16 know there is a copy in the court file. If I can find a
17 copy somewhere, I will tender it.

18 THE COURT: So we will give this case a 30-day date.
19 If you prepare an accurate order this time stating very
20 simply that Annabel Melongo will be allowed to go to
21 doctor and medical appointments verified by the Cook
22 County Sheriff's Police Electronic Home Monitoring
23 Division and immigration matters. Prepare that order
24 very succinctly. Don't add anything else. I will sign

1 THE COURT: I will sign this. Please stamp it and
2 make sure Miss Melongo and the State get a copy. We are
3 going to continue this matter for approximately 30 days
4 for the State to complete their discovery.

5 MR. PODLASEK: Judge, I would suggest the 9th or
6 11th of January.

7 THE COURT: How does that work for you,
8 Miss Melongo?

9 THE DEFENDANT: We cannot do the 9th because that's
10 when I go to the law library.

11 THE COURT: The 9th or 11th?

12 MR. PODLASEK: The 11th is fine, Judge. By
13 agreement.

14 THE COURT: January 11th by agreement all matters as
15 it always has been.

16 THE DEFENDANT: Judge, Mr. Podlasek is going to be
17 removed from the case because of the memorandum?

18 THE COURT: No, he is not going to be removed from
19 the case.

20 MR. PODLASEK: I am going to ask my boss.

21 THE DEFENDANT: If I can file memorandum for him to
22 be removed from the case, I will file it.

23 THE COURT: I understand, Miss Melongo.
24 January 11th by agreement.

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THE DEFENDANT: Judge, the CDs.

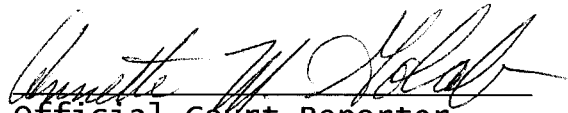
THE COURT: They will be tendered January 11th.

(Whereupon, the above-entitled cause
was continued to January 11, 2012.)

1 STATE OF ILLINOIS)
2)
3 COUNTY OF C O O K)

4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
5 COUNTY DEPARTMENT - CRIMINAL DIVISION

6 I, Annette M. Golab, an Official Court
7 Reporter for the Circuit Court of Cook County, Criminal
8 Division, do hereby certify that I reported in shorthand
9 the proceedings had at the hearing of the above-entitled
10 cause; that I thereafter caused the foregoing to be
11 transcribed into typewriting, which I hereby certify to
12 be a true and accurate transcript of the proceedings
13 before the Honorable STEVEN J. GOEBEL, Judge of said
14 court.

15
16
17 
18 Official Court Reporter
License No. 084-001693
19
20

21 Dated this 25th day
22 of November 2012.
23
24

EXHIBIT Y

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT-CRIMINAL DIVISION

THE PEOPLE OF THE STATE OF)	
ILLINOIS,)	
)	
Plaintiff,)	
)	
vs.	)	No. 10 CR 8092
)	
ANNABEL MELONGO,)	
)	
Defendant.)	
-----)	

TRANSCRIPT OF PROCEEDINGS had at the
hearing of the above-entitled cause before the
Honorable STEVEN J. GOEBEL, judge of said Court, on
the 11th day of January, 2012, at the hour of 11:00
a.m.

PRESENT:

HON. ANITA M. ALVAREZ
State's Attorney of Cook County, by
MR. ROBERT PODLASEK
Appearing on behalf of the Plaintiff;

Paul W. O'Connor
Official Court Reporter
Circuit Court of Cook County
County Department

I N D E X

Date: January 11, 2012
Pages: XX-1 to XX-12

Status of Motions 3

WITNESS	DX	CX	RDX	RCX	FD	FC
None						

1 THE CLERK: Annabel Melongo, sheet five.

2 MR. PODLASEK: Robert Podlasek,
3 P-O-D-L-A-S-E-K, on behalf of the State.

4 MS. MELONGO: Annabel Melongo.

5 THE COURT: Good morning.

6 MR. PODLASEK: At this time I have
7 substantial portion of the former attorney's file to
8 return to Miss Melongo. I have reviewed it and taken
9 out the portions we are going to be redacting. That
10 would be approximately two more of these brown files.
11 Shouldn't take more than another two weeks. I have
12 one clerk working on it right now.

13 THE COURT: Take the State another two weeks
14 to get that to you.

15 MS. MELONGO: It's way too long. Initially
16 he asked for five weeks. Takes over more than two
17 months.

18 THE COURT: Takes a long time, Miss Melongo.

19 MS. MELONGO: It doesn't take that long to
20 redact a couple of subpoenas. Not even more than like
21 ten subpoenas.

22 MR. PODLASEK: That's not true. Just so I
23 can respond, we found numerous pages that have credit
24 card numbers, Social Security numbers, addresses, and

1 telephone numbers of individuals that we are
2 redacting.

3 THE COURT: I understand. It's a tedious
4 and long process. I don't find the State has been --
5 I find the State has been exercising due diligence in
6 trying to provide you with the discovery, Miss
7 Melongo. So take approximately another two weeks
8 according to the State.

9 Do you have anything else?

10 MS. MELONGO: Actually, can I file those
11 motions? I have a motion.

12 THE COURT: You have a motion to file?

13 MS. MELONGO: Yes.

14 THE COURT: What kind of motion you want to
15 file?

16 MS. MELONGO: Actually I don't know, judge,
17 if you recall --

18 THE COURT: I can't hear you.

19 MS. MELONGO: If you recall the last time I
20 actually asked you for -- Albuquerk's filed one of my
21 motions in civil court or -- so actually it's not only
22 one motion, it's actually three motions. Those three
23 motions are key motions to my computer tampering case.
24 They were all filed on the same day in the civil

1 department.

2 Last time you asked me to write a
3 motion and -- I was thinking about it and I was saying
4 to myself it won't actually be a good idea to write
5 the motion because the statement, like pre-court
6 hearing, I remember court hearing Judge Brosnahan
7 asked Mr. Podlasek -- actually initially issued those
8 motions when I was pro se, so Judge Brosnahan asked
9 Mr. Albuquerk to rewrite the motion and file them and
10 Albuquerk says he's going to file them and then argue
11 them.

12 Somehow Albuquerk did rewrite the motion
13 and file them, and all that is on the record, but as
14 of now I'm kind of confused if the motion were argued
15 or not because Albuquerk told me the motion will not
16 argue. But one of Albuquerk's told me the motion would
17 argue, but it was dismissed with that evidentiary
18 hearing. So I'm kind of confused of what happened to
19 those motions.

20 In any event, I told -- the best way to
21 solve this issue because I went on record, even my
22 present motion to dismiss I talk about this motion.
23 It will not be a good idea for me to actually file it
24 now. What I ask and that's what I ask in my motions,

1 to just issue the order so that the motion get filed
2 on July 6th so the record get corrected, and July 6th
3 date is kept with Albuquerk naming -- because it's
4 going to be consistent with everything that has been
5 written and everything that --

6 THE COURT: Your former attorney Nick
7 Albuquerk filed this on July 6th of last year?

8 MS. MELONGO: Yes.

9 THE COURT: State can object if they find
10 that not to be correct, but I'll allow you to file it
11 as of July 6th. Previously stamped. Obviously I was
12 not the judge on that day.

13 MS. MELONGO: All those motions, you can
14 actually see this one, you can see like civil
15 department and stuff. Those three motions are key to
16 my computer tampering case.

17 THE COURT: Mr. Podlasek, if you have any
18 objections to this motion, raise it in two weeks.

19 MR. PODLASEK: The elected case --

20 THE COURT: As far as the filing I'm talking
21 about.

22 MS. MELONGO: Just filing, nothing done with
23 it. I prepared the order for you.

24 THE COURT: There's no need for an order.

1 I'm allowing you to file it.

2 MS. MELONGO: I have to go there and ask
3 them to change it so there have to be an order to do
4 that, right?

5 THE COURT: No, there doesn't have to be an
6 order. The order was just spoken. It's allowed to be
7 filed as of July of last year.

8 MS. MELONGO: Just go there and tell them
9 has to be filed July, correct?

10 THE COURT: It's filed. As of July last
11 year it's filed. Having said so.

12 What's a good date for you to come
13 back?

14 MS. MELONGO: So you granted the motion.
15 Judge, I'm not done. Actually I send you this FAX --
16 just for the record, what is your FAX number and phone
17 number? Because I send you this FAX last week and I
18 was -- nobody knew what is your FAX number. Or
19 telephone number.

20 THE COURT: FAX number goes through the
21 chief judge. You can call (773) 674-3160. Offhand I
22 don't know what the FAX number is there, but the
23 secretary who answers that phone will be happy to tell
24 you what the FAX number is.

1 MS. MELONGO: Did you receive this FAX?

2 THE COURT: I did not.

3 MS. MELONGO: This is what we talked the
4 last time about giving some transcript order. So I
5 also send a copy to Mr. Podlasek.

6 MR. PODLASEK: I received one, judge. And I
7 have no objection to copies of those transcripts.

8 THE COURT: To copies? Are they already
9 printed?

10 MS. MELONGO: To order transcript from
11 Mrs. --

12 THE COURT: Let me review this. We will
13 deal with this in two weeks as well. Quite a lot of
14 transcripts.

15 MS. MELONGO: Last but not least, I was
16 supposed to receive the response to my motion to
17 dismiss today. Judge, you actually told them today is
18 last day. And I don't see any response to my motion
19 to dismiss.

20 MR. PODLASEK: It's with our appellate
21 division. Alan Spellberg informed me it's going to
22 take a while. They are a little behind, but they do
23 want to respond to it. Given the nature of the -- 30
24 to 60 days.

1 THE COURT: We've been dealing with this for
2 about almost 30 days now.

3 MS. MELONGO: Two months.

4 MR. PODLASEK: I understand, but there's a
5 limited amount of individuals there working on it.

6 THE COURT: Find out what the status of it
7 is.

8 MS. MELONGO: It doesn't make sense. I'm
9 just a pro se, everybody can see I'm a pro se and
10 filed that motion when I was in jail. And it didn't
11 take me a month.

12 So Mr. Podlasek is a 30-year plus
13 lawyer and he gave it to what kind of division,
14 experienced lawyer, it should not take them two months
15 to respond to a pro se motion. This is ridiculous.

16 THE COURT: I will give Mr. Podlasek till
17 the next date to let me know what the progress and
18 status is of his office filing your -- the response to
19 your motion to dismiss. So we will hold this matter
20 over for two weeks. See what the progress is of that.
21 I will also deal with your transcript issue on that
22 day. As well as I assume in two weeks you will get
23 the rest of discovery.

24 MS. MELONGO: The transcript has to be given

1 to --

2 THE COURT: I have not granted the motion.
3 I'm going to review them. I see a lot of this is --
4 looks like just like we are doing now. The court
5 hearings, you were here, you know what they are. Even
6 though State does not have an objection, the State has
7 limited funds. I'm not going to grant irrelevant
8 transcripts. You're not going to have transcripts on
9 every court hearing we have. You have quite a few
10 transcripts there. About half of them are in front of
11 me and I can tell you right now since they were in
12 front me, they are not necessary for your defense.

13 MS. MELONGO: Most of them relevant, judge.

14 THE COURT: Most of those are not going to
15 be granted, what's in front of me. I told you before
16 I'm only going to grant things where prior trial or
17 prior motions were heard. I'm not going to grant
18 court transcripts and all the banter that goes back
19 and forth like today. That's not going to happen. If
20 you want to order those, you pay for those yourself.
21 I will review your motion for transcripts and some
22 will be granted and probably -- and some are going to
23 be denied. Two weeks.

24 MS. MELONGO: The 24th.

1 THE COURT: 24th is good for you?

2 MR. PODLASEK: Can we go to the 23rd.

3 THE COURT: How's the 23rd?

4 MS. MELONGO: That's fine.

5 THE COURT: By agreement then, January 23rd.

6 MS. MELONGO: Can he respond to the motion?

7 It cannot take 2 to 3 months.

8 THE COURT: He will come in and let me know
9 what his progress is. By agreement, January 23rd.

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13 (Whereupon, proceedings were
14 adjourned in this case)

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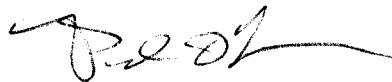
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1 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
2 COUNTY DEPARTMENT-CRIMINAL DIVISION

3 I, PAUL W. O'CONNOR, an Official
4 Court Reporter for the Circuit Court of Cook County,
5 County Department/Criminal Division, do hereby certify
6 that I reported in shorthand the proceedings had at
7 the hearing in the above-entitled cause; that I
8 hereafter caused the foregoing to be transcribed into
9 typewriting, which I hereby certify to be a true and
10 accurate transcript of the proceedings had before the
11 Honorable STEVEN GOEBEL, Judge of said court.

12
13
14 

15 _____
 Official Court Reporter

16 Lic. No. 084-002955

17
18 Dated this 2nd day
19 of October, 2012.

EXHIBIT Z

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1 THE COURT: Melongo.

2 Who is the State's Attorney on
3 your case?

4 THE DEFENDANT: Mr. Podlasek.

5 THE COURT: Somebody give him a call and
6 see if he is coming down.

7 Thank you.

8
9 (WHEREUPON the case was passed
10 and later recalled.)
11

12 THE COURT: Annabel Melongo.

13 MR. PODLASEK: Good morning.

14 THE COURT: Good morning, Mr. Podlasek.

15 Hello, again, Miss Melongo.

16 THE DEFENDANT: Good morning, Judge.

17 Annabel Melongo, pro se.

18 MR. PODLASEK: Robert Podlasek,
19 P-O-D-L-A-S-E-K, on behalf of the State.

20 THE COURT: I am handling Judge Goebel's
21 call. He is on a trial.

22 What are we doing on this matter?

23 MR. PODLASEK: Judge, I have some documents
24 to tender to Miss Melongo. These are part of

1 the documents we have been redacting from her
2 attorney's files that we will tender to her.

3 We have a few more to go through,
4 but then we will be finished.

5 THE COURT: Do you anticipate that will be
6 done by the next date?

7 MR. PODLASEK: I do, Judge.

8 THE COURT: What date are you asking for,
9 State?

10 I will ask Miss Melongo in a
11 moment whether that works for her or not.

12 MR. PODLASEK: Can we go to the second week
13 in February towards the end of the week? Maybe
14 the 9th or the 10th.

15 THE COURT: First off, are you agreeing to
16 continue the matter, Miss Melongo --

17 THE DEFENDANT: No, your Honor.

18 THE COURT: (CONTINUING) -- to get these
19 materials?

20 THE DEFENDANT: Judge, actually, I have a
21 pending motion to dismiss. And during the last
22 year, Judge Goebel gave the State prosecutor
23 until today to get the State on the motion to
24 dismiss. So the State prosecutor is coming

1 today. He has no response to my motion to
2 dismiss.

3 If you can just put this call to
4 the next time Judge Goebel is going to be
5 available because at some time Mr. Podlasek has
6 to answer to that motion to dismiss.

7 MR. PODLASEK: Judge, if I may respond.

8 THE COURT: Yes.

9 MR. PODLASEK: There was a motion filed to
10 dismiss the indictment for eavesdropping. There
11 is two separate cases. Miss Melongo filed
12 recently several months ago a motion to have the
13 statute declared unconstitutional.

14 We transferred that motion given
15 the nature of that motion to the appellate
16 division, specifically to the supervisor of the
17 appellate divisional, Alan Spellberg, who has
18 assigned it out. I have put a call in to him.
19 I have not heard back from him as to when it
20 will be finished.

21 THE DEFENDANT: So if you can just continue
22 this week or next week --

23 MR. PODLASEK: Judge, I am not available.

24 THE DEFENDANT: I am got agreeable to two

1 week continuance. He has asked for more than
2 three weeks. That motion has been pending --
3 sorry, more than six months.

4 THE COURT: How about next week?

5 MR. PODLASEK: Judge, I am on trial. I
6 start a jury on Monday with Judge Goebel.

7 THE DEFENDANT: Judge, he can send somebody
8 just to handle this.

9 THE COURT: Miss Melongo, hang on a second.
10 You are going to be able to be
11 heard. I have given you an opportunity to be
12 heard. I don't want any of us talking over any
13 others of us. Fair enough?

14 Beg your pardon, Mr. Podlasek.

15 MR. PODLASEK: Judge, I will be on jury
16 starting Monday. We are picking. There is at
17 least by my count 25 State witnesses we are
18 putting on. And that's -- we are prepping those
19 now as we speak. We are in the middle of that.

20 THE COURT: You will be in front of Judge
21 Goebel, correct, on that matter?

22 MR. PODLASEK: But I will also be prepping
23 the witnesses.

24 THE COURT: I don't doubt it. But you will

1 be physically in front of him; correct?

2 MR. PODLASEK: Yes.

3 THE COURT: We will hold it over until next
4 week.

5 THE DEFENDANT: Thank you, Judge.

6 THE COURT: By agreement of the parties --
7 give me a date next week.

8 Do you agree to that continuance
9 next week, Miss Melongo?

10 THE DEFENDANT: (Nodding head.)

11 THE COURT: You have to say yes or no.

12 THE DEFENDANT: Yes, Judge.

13 MR. PODLASEK: February 3rd, Judge.

14 THE COURT: By agreement, 2-3-12. I will
15 make it 1:00 o'clock, Room 101. Who knows where
16 the jury will be.

17 MR. PODLASEK: Can we make it at 10:00
18 o'clock in the morning?

19 THE DEFENDANT: 10:00 o'clock.

20 THE COURT: 10:00 o'clock, 3A15 or wherever
21 Judge Goebel is.

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1 (WHEREUPON the above-entitled
2 cause was continued to
3 2-3-12.)
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2 STATE OF ILLINOIS)
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3 COUNTY OF C O O K)

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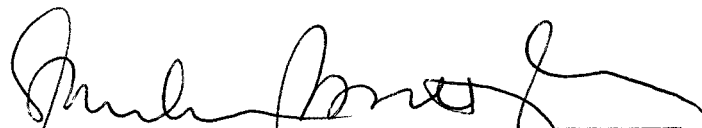
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I, SANDRA BATTAGLIA, Official
Shorthand Reporter of the Circuit Court of Cook
County, County Department, Criminal Division, do
hereby certify that I reported in shorthand the
proceedings had at the hearing of the
above-entitled cause, and that the foregoing is
a true and correct transcript of the proceedings
had.



Official Shorthand Reporter
C.S.R. #084-003168
Circuit Court of Cook County
County Department
Criminal Division

Dated this 21st day of
November, 2012

EXHIBIT AA

[illegible]

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - CRIMINAL DIVISION

THE PEOPLE OF THE STATE)
OF ILLINOIS,)
)
Plaintiff,)
vs.) No. 10 CR 08092-01
)
ANNABEL K. MELONGO,)
)
Defendant.)

REPORT OF PROCEEDINGS had in the hearing of the above-entitled cause, before the Honorable STEVEN J. GOEBEL, Judge of said Court, on Friday, the 3rd day of February, A.D., 2012.

PRESENT:

HON. ANITA M. ALVAREZ,
State's Attorney of Cook County, by
MR. ROBERT PODLASEK,
Assistant State's Attorney,
appeared on behalf of the People;

MS. ANNABEL MELONGO,
appeared pro se.

Siobhira Redmond
Official Court Reporter
2650 South California, Room 4-C02
Chicago, Illinois 60608
CSR #084-004552

I N D E X

PEOPLE vs. ANNABEL MELONGO

NO: 10 CR 08092-01

DATE: 02-03-2012

JUDGE: Honorable Steven J. Goebel

REPORTER: Siobhra Redmond

PAGES: ZZ-1 through ZZ-22

PROCEEDINGS: Discovery Status

1 THE CLERK: On Judge Goebel's call Annabel Melongo,
2 sheets 1 and 2.

3 MR. PODLASEK: Judge, for the record Robert Podlasek
4 on behalf of the State.

5 MS. MELONGO: Judge, for the record Annabel Melongo,
6 pro se.

7 THE COURT: Good morning, Ms. Melongo.

8 MR. PODLASEK: Judge, at this time we're tendering
9 the remainder of Mr. Albuquerk's file to Ms. Melongo.

10 THE COURT: Okay. Very good. We're referring to
11 the redacted part?

12 MR. PODLASEK: I am, Judge.

13 THE COURT: Okay. That completes ...

14 MR. PODLASEK: That completes that file.

15 THE COURT: All right. How about discovery?

16 MR. PODLASEK: Discovery has been completed in this
17 case.

18 THE COURT: It's all done.

19 MR. PODLASEK: Yes.

20 MS. MELONGO: Judge, we have the million-dollar
21 question, where's the answer to the motion to dismiss?

22 THE COURT: I'm sorry. I didn't hear you.

23 MS. MELONGO: I said we have the million-dollars
24 question.

1 THE COURT: Your motion to dismiss?

2 MS. MELONGO: Yes, where the answer is.

3 THE COURT: Mr. Podlasek, when will the State be
4 able to file a response to Ms. Melongo's motion to
5 dismiss?

6 MR. PODLASEK: Judge, we'll file it on the 14th.
7 That's about ten days from now. We can set it down for
8 argument after that.

9 THE COURT: Okay. You can file it on February 14th.
10 I'm going to give the State to February 14th to file it.

11 On the 14th, Ms. Melongo, we will set it down
12 for argument on the motion.

13 MS. MELONGO: Yes, Judge. For the record I want to
14 know what division of the appellate is handling my
15 motion? Is it a civil or is it a criminal appeal?

16 THE COURT: All right. Well, actually, you're not
17 entitled to know that. I mean, the State operates how
18 the State operates. They don't have to tell me. They
19 don't have to tell you. I just want it filed.
20 Mr. Podlasek is the state's attorney on this case and he
21 is responsible for filing the motion or bringing it to
22 the Court's attention and arguing it, so I don't know if
23 someone else is going to come in or not. But I'm holding
24 right now since no one else is here Mr. Podlasek to

1 filing this motion on February 14th.

2 MS. MELONGO: Okay. Judge, I have some copy of -- I
3 have some issue I want to go through.

4 THE COURT: All right.

5 MS. MELONGO: Okay. The first issue is -- actually
6 it was my understanding when the State got my file that
7 it was supposed to redact information, social security
8 number, credit card, but it turned out the State did
9 everything but redact that information.

10 Judge, if you recall, I objected to the fact
11 that my case being handed over to the state prosecutor is
12 because I have known Mr. Podlasek for more than five
13 years now. Actually, the first time I met him was
14 January 17th, 2007.

15 THE COURT: I think you guys are getting an
16 adversarial friendship. Go ahead.

17 MS. MELONGO: So when he requested my file, I knew
18 exactly the purpose behind him requesting the file and I
19 objected to it, so he has been returning that file over
20 to me. And it turned out what he was supposed to be
21 redacting in the file is not -- he didn't do that, but
22 the information he had no business redacting and that was
23 necessary to my defense was what was redacted.

24 And I'm not talking out of the blue. Judge,

1 I'm just going to give you some -- I didn't bring
2 everything, but this is a subpoena from Go Daddy. The
3 subpoena has all the credit card information.

4 MR. PODLASEK: Judge, I missed that one. I should
5 have redacted that.

6 MS. MELONGO: It's not that -- A mistake is a
7 mistake. And I'm actually going to use this information
8 to file a second motion to dismiss if the pending is not
9 granted. So this is the Go Daddy information and it has
10 actually valid credit card numbers, some of them current
11 and stuff. That is the kind of information Mr. Podlasek
12 was supposed to redact. That information is black and
13 white there visible to --

14 MR. PODLASEK: Judge, I'd actually request those
15 documents back so I can redact them.

16 MS. MELONGO: -- to the defendant.

17 MR. PODLASEK: This is the exact reason that a
18 pro se defendant shouldn't have access to anything that
19 an attorney subpoenaed.

20 MS. MELONGO: But, Judge, you gave him that
21 information over my objection so that he would redact the
22 information and he didn't do that. He got that
23 information, like, more than five months now and it has
24 never been redacted.

1 THE COURT: I understand, but how does that hurt you
2 or prejudice you?

3 MS. MELONGO: No, I'm coming -- I'm coming. That's
4 what I'm coming.

5 THE COURT: Okay. Go ahead.

6 MS. MELONGO: That's the information he was to --
7 supposed to redact. He didn't redact it. But strangely
8 though, Judge, the information he has no business
9 redacting, those are just, like, entry from the
10 defendant, one of -- one of the persons subpoenaed, this
11 is like -- this is a consulting company entry and they
12 were just making some comment. They are some comment
13 here that are really necessary for the defense. I have
14 the redacted investigation and I don't know if somebody
15 made a mistake and also gave me the unredacted version.
16 So if you read that last -- this last portion of the
17 unredacted version, you will see the paragraph state the
18 company that is accusing me in the computer tampering
19 case of deleting password and stuff has also accused
20 somebody of doing exactly the same. And if you see this
21 is the information. That is exactly the information I
22 need for my defense that was redacted by the State.

23 THE COURT: Are you saying -- Since I'm not familiar
24 with the exact facts of the case or the parties, I'll be

1 honest with you, this is -- not have much meaning to me.

2 Are you referring to the part that says --

3 MS. MELONGO: It is meaning. I have to explain it
4 to you.

5 THE COURT: -- I'm in the off-site training session.
6 We are actively trying to obtain a signature from a
7 client. We need a signed time sheet from the client.

8 MS. MELONGO: And I can explain you why it's meaning
9 to me and why it's meaning to my defense.

10 THE COURT: All right. Go ahead.

11 MS. MELONGO: Because the last paragraph is the
12 company -- that's was the consultant who went before I
13 got hired, that's the individual that was hired in my
14 position. He was before me. So the company in the
15 computer tampering case accused me of deleting password
16 and for deleting filing stuff. And it turned out that
17 company accused this guy for doing exactly the same
18 thing. So -- And it will be necessary to my defense,
19 like, just to prove credibility then, see, this is a
20 person. The person who comes before me was accused of
21 doing exactly the same thing that I'm being accused of.
22 Actually, it will be a credibility on my accuser, just to
23 challenge the credibility of the accuser. So for the
24 State to redact that information from me from not -- so

1 that I cannot see that information is really -- is a big
2 prejudice to my case and it's kind of a miscarriage of
3 justice for the State to have done that. And that is not
4 only -- it's just a sample of things they are -- those
5 are not pages that have been redacted. This is just a
6 sample I took. But there are pages and pages like that
7 that have been redacted.

8 THE COURT: Actually, to me this looks like two
9 separate sheets though.

10 MS. MELONGO: No, it's the same sheet.

11 THE COURT: Can you tell me if these are two -- the
12 same sheets.

13 MS. MELONGO: If you see the same comment, those are
14 the same. And the problem is the State has no business
15 redacting this information. It was just credit card
16 number and social security. Why is it going --

17 MR. PODLASEK: And addresses, Judge, telephone
18 numbers.

19 MS. MELONGO: How is it going to redact --

20 MR. PODLASEK: Social security numbers. I've
21 attempted --

22 THE COURT: To me they look like two separate
23 sheets. On the one it says job, what is it job title on
24 the first.

1 MS. MELONGO: It may be different, but the comments
2 are the same, the comments are the same.

3 THE COURT: They look like two separate documents to
4 me.

5 MS. MELONGO: Read this one starting there and then
6 read the same. Those are exactly the same because
7 sometime it can be somebody else who comment or
8 something. That's why you see. But it's exactly the
9 same.

10 MR. PODLASEK: This one says page 2 of 4 on the
11 bottom and this one says page 11 of 35 on the bottom.

12 THE COURT: Yeah, they're two separate ones.

13 MS. MELONGO: But it's not -- that's why I'm
14 saying --

15 MR. PODLASEK: If I can just ask a question here.

16 THE COURT: Sure. Go ahead.

17 MR. PODLASEK: What exactly are you looking for out
18 of this information? What's missing? What have we
19 redacted?

20 THE COURT: Well, it's separate pages, so
21 there's --

22 MR. PODLASEK: I don't understand it. I can't read
23 it.

24 THE COURT: -- obviously --

1 MS. MELONGO: Judge --

2 THE COURT: -- something is redacted.

3 Hold on.

4 You don't know what's redacted because you
5 don't have the original. But what Ms. Melongo was saying
6 those two were the same, they're not, so she cannot say
7 those two are the exact same page and that important item
8 was redacted because obviously it was tendered, so --
9 because they're separate pages.

10 MR. PODLASEK: Can I say something else?

11 MS. MELONGO: Judge, can I say something before he
12 say. Actually it's not even an issue now if the pages
13 are the same or not. The State redacted information it
14 had no business redacting. It was social security number
15 and --

16 THE COURT: No, they're absolutely --

17 MS. MELONGO: -- credit card number. Why the State
18 went and redact that information. You cannot redact
19 something just for the sake of redacting and the very
20 thing it was supposed to redact, they never redacted it.

21 MR. PODLASEK: Judge, I said I made a mistake on one
22 of them.

23 MS. MELONGO: It's not a mistake.

24 THE COURT: Well, you don't know if that is or not.

1 I assume it was since Mr. Podlasek, you know, and the
2 State's Attorney's Office went through volumes and
3 volumes of records, it's understandable how some could
4 slip through. But I gave them permission to do that and
5 I'm not going to reverse myself, so ...

6 MS. MELONGO: But you didn't give them permission to
7 redact everything they thought was necessary for their
8 own case.

9 THE COURT: No, he's under an obligation to tender
10 any Brady material and there's no indication he has not
11 complied with that. So he's allowed to redact credit
12 cards obviously, social security numbers and addresses,
13 home addresses.

14 MR. PODLASEK: Telephone numbers I redacted also.

15 THE COURT: Telephone numbers.

16 MS. MELONGO: For the record the State didn't redact
17 information it was supposed to redact because I am going
18 to use that for second motion to dismiss and that one is
19 going to be dismissing both my cases because it's a
20 miscarriage of justice what the State did to redact my
21 file for its own purpose.

22 MR. PODLASEK: Judge, I'll return these to
23 Ms. Melongo on the next court date redacted properly.

24 THE COURT: Okay.

1 MR. PODLASEK: Judge, I would also just for the
2 record say you did order us also to copy Mr. Albuquerk's
3 complete file unredacted and maintain that copy so that
4 the Court if there were questions whether or not we
5 should have redacted something, the Court has something
6 to reference back to. We do have those in our offices.

7 MS. MELONGO: Judge, the damage has already been
8 done.

9 THE COURT: All right.

10 MS. MELONGO: Okay. The second point I want to --
11 Judge, when I got arrested, the State came in front of
12 Judge Brosnahan and asked that my passport be handed over
13 to him. So as of today I don't know where is -- my
14 passport is and I have -- and I told you I have an
15 immigration hold where I have to correct my immigration
16 standing. So I asked the people at the jail where is my
17 passport. They don't know where my passport is.

18 Coming Thursday I have an appointment with the
19 immigration and I need my passport. If not a passport,
20 at least a copy of it. So I'm asking the State, who has
21 my passport?

22 MR. PODLASEK: Judge, I don't believe the State took
23 her passport.

24 THE COURT: It usually goes with the clerk. Let me

1 see if it's in here.

2 MS. MELONGO: Can I have this copy.

3 MR. PODLASEK: No.

4 MS. MELONGO: I already have the copies, so there is
5 even no business you keeping it because I already have
6 the copy.

7 MR. PODLASEK: I'll make a redacted copy.

8 MS. MELONGO: I have, like, a stack like that with
9 credit cards, so ...

10 MR. PODLASEK: You should bring them back over to
11 me.

12 MS. MELONGO: I'm not turning it over. I'm going
13 to --

14 THE COURT: Hold on. No dialogue.

15 All right. The clerks might have it in a
16 separate sealed envelope or something. I do not see it
17 in the file, but they are rather thick and I am not going
18 to sit here and go through it piece by piece. We will
19 have to locate the passport to see where that's at.

20 MS. MELONGO: Judge, actually it was in April the
21 first time I appear in front of Judge Brosnahan from
22 jail. Mr. Podlasek asked Judge Brosnahan to have my
23 passport surrendered because it was in my property. So
24 my passport is somewhere and somebody has to at least a

1 copy give to me so that I can correct my immigration
2 standing.

3 THE COURT: All right. I don't think the State has
4 any objections to you being tendered a copy of the
5 passport.

6 MR. PODLASEK: No, but I don't have it in my
7 possession.

8 THE COURT: I understand.

9 MS. MELONGO: So who have it?

10 THE COURT: All right. The clerk has informed me it
11 should be upstairs in their office, so he's going to
12 check.

13 MS. MELONGO: The next one is actually, Judge, I
14 want to make a motion to appoint expert.

15 THE COURT: All right.

16 MS. MELONGO: So the current charges against me like
17 eavesdropping and the eavesdropping is actually recorded
18 the conversation with Ms. Pamela Taylor who is the
19 manager of the Cook County reporter office. So the
20 information is really technical.

21 So for the jury to understand it, I will need
22 three expert. I will need a computer expert. I will
23 need a court reporter expert and I will need a general
24 record expert explaining what is a court sheet, what is a

1 judge's note and all those kinds of things, so ...

2 THE COURT: All right. You wish to file that today?

3 MS. MELONGO: If you can file it for me and
4 then ...

5 THE COURT: All right. Stuart, can you stamp this
6 please.

7 There's a copy back for Ms. Melongo, and the
8 State.

9 MS. MELONGO: Okay. The next point is, Judge, you
10 were supposed to order some transcript and then I see you
11 are going to talk about it today.

12 THE COURT: All right. You want to order numerous
13 transcripts. I think I told you the last time you and I
14 were together that I didn't see any other than perhaps
15 the 12-13-10 argue motion to dismiss, I think that's
16 actually a continuance because I think there was no
17 argument on a motion to dismiss, so I think actually it
18 was just a continuance. Most of these I am not going to
19 order.

20 MS. MELONGO: Judge, why not?

21 THE COURT: Because you are indigent doesn't mean
22 you get transcripts from every continuance or every time
23 the case is up.

24 MS. MELONGO: Yes. Judge, my argument was not only

1 I'm indigent, I cannot work and I need those transcripts
2 for my own defense. So I don't know why I cannot get
3 any. And besides hours in jail when most of those court
4 hearings took place, my former lawyer never left me any
5 kind of summary or anything for me to actually track what
6 happened when I was in jail. So I don't know why I
7 cannot -- I can understand even, say, okay from the time
8 when you were released, I don't go to -- I am not going
9 to order those transcripts, I can understand because from
10 the time I got released, I start doing my own summary.

11 But, Judge, it will be really unfair given that
12 I cannot work, given that I was in jail, given that my
13 former lawyer never left me a summary of those court
14 hearings, it would really be unfair not to -- not to
15 order those transcripts for me because I have no clue
16 what happened in any other date when I was in jail.

17 THE COURT: All right. Ms. Melongo, I understand
18 your argument. For example, though, Nick's the lawyer on
19 4-11-11. Reconsider Nick on 6-24. Ask for PD 7-11-11.
20 They have nothing to do with your representation of
21 yourself right now. You don't need a transcript for
22 those.

23 I told you I would give you the trial
24 transcript and hopefully that's been done for you already

1 where the jury was hung. I will give you any motions
2 that were argued or heard, but I'm not going to give you
3 anything else because they're not necessary for your
4 defense.

5 MS. MELONGO: How do you know, Judge? You are not
6 the one defending me. I'm the one defending myself and I
7 know what is necessary for my defense and what is not.

8 THE COURT: It's denied.

9 MS. MELONGO: Okay. Okay. Judge, last but not
10 least, I receive an unlikely e-mail from somebody who was
11 Mr. Podlasek's friend and ally and that was
12 Mr. Albukerk.

13 THE COURT: Did you say friend and ally?

14 MS. MELONGO: Mr. Podlasek's friend and ally when
15 they -- actually they made a -- they teamed together to
16 send me back in jail.

17 THE COURT: Well, I don't know about that, but go
18 ahead.

19 MS. MELONGO: Anyway --

20 MR. PODLASEK: Just for the record, I'm going to
21 object to that.

22 MS. MELONGO: I receive an e-mail from him and then
23 he actually sent me the letters of date on the
24 eavesdropping law.

1 THE COURT: Who did, Mr. Albuquerk?

2 MS. MELONGO: Yes. Which means there is something
3 going on in his conscience or something. So he -- The
4 eavesdropping law, the current standing is that the ISBA,
5 which is the Illinois State Bar Association, make it top
6 priority starting next Tuesday --

7 THE COURT: Yes, did he send you the Law Bulletin
8 article?

9 MS. MELONGO: Yes -- over all the Illinois
10 eavesdropping statute because it argue it's an assault to
11 the 1st Amendment right.

12 So Mr. Podlasek seems to be the only person in
13 Illinois who still think he has a case against me because
14 all over article out there say I should not be persecuted
15 for eavesdropping.

16 Even the Illinois State Bar Association say
17 it's an assault to my 1st Amendment right.

18 THE COURT: Actually, I read this article. What
19 they are talking about is amending the eavesdropping
20 statute.

21 MS. MELONGO: Yes.

22 THE COURT: Not striking it down but amending it.

23 MS. MELONGO: Yes, but you cannot amend if you don't
24 change what is ...

1 MR. PODLASEK: They're also talking in that article,
2 Judge, just for the record there's nothing that would
3 actually affect Ms. Melongo's case or the prosecution of
4 it.

5 MS. MELONGO: Oh, there is.

6 THE COURT: Well, we'll argue that another time.

7 MS. MELONGO: There is.

8 THE COURT: Anything else? I've got some attorneys
9 waiting.

10 MS. MELONGO: The --

11 THE COURT: Ms. Melongo, we're not going to argue it
12 now.

13 MS. MELONGO: -- article states not only --

14 THE COURT: Ms. Melongo, Ms. Melongo, we're not
15 going to argue now. Move onto your next point.

16 MS. MELONGO: Judge, I think I'm done for today.

17 THE COURT: Okay. By agreement.

18 MS. MELONGO: So what about my motion for expert?

19 THE COURT: We'll hear that on February 14th as
20 well.

21 MS. MELONGO: So the State has to read my motion,
22 the response to the motion to dismiss on February --

23 THE COURT: That will be filed February 14th. It
24 will be by agreement to that date.

1 MS. MELONGO: Thank you, Judge.

2 THE COURT: All right. See you then.


3 MS. MELONGO: Bye.

4 (The above-entitled cause was
5 continued to February 14th, 2012,
6 at 9:30 a.m.)
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1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF C O O K)
3

4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
5 COUNTY DEPARTMENT - CRIMINAL DIVISION

6 I, Siobhra Redmond, Official Court Reporter of
7 the Circuit Court of Cook County, County Department -
8 Criminal Division, do hereby certify that I reported in
9 shorthand the proceedings had on the hearing in the
10 aforementioned cause; that I thereafter caused the
11 foregoing to be transcribed into typewriting, which I
12 hereby certify to be a true and accurate transcript of
13 the Report of Proceedings had before the Honorable
14 STEVEN J. GOEBEL, Judge of said court.
15

16 
17 _____
18 Siobhra Redmond
19 Official Shorthand Reporter
20 License No. 084-004552
21 Circuit Court of Cook County

22 Dated this 21st day
23 of November 2012.
24

EXHIBIT BB

1 THE CLERK: Annabel Melongo, sheets 20 and 21.

2 THE COURT: Good morning, Ms. Melongo.

3 THE DEFENDANT: Good morning, Judge. Sorry the
4 line was so long.

5 THE COURT: That's okay. I understand.

6 MR. PODLASEK: Judge, for the record, Robert
7 Podlasek, on behalf of the State.

8 THE DEFENDANT: For the record, Annabel Melongo,
9 pro se.

10 MR. CRONE: Also, for the State, 7-11 clerk,
11 Daniel Crone, C-r-o-n-e.

12 MR. PODLASEK: Judge, you asked the State to file
13 a response to Defendant's Motion to Declare
14 Eavesdropping Statute Unconstitutional. I am tendering
15 a copy of our response to the court. I am tendering a
16 copy to Ms. Melongo. I am also tendering a copy of the
17 cases cited in our response to the court as a courtesy.

18 THE COURT: Thank you very much.

19 THE DEFENDANT: Thank you, Judge. This is a
20 Valentine gift.

21 THE COURT: Valentine gift for you. I know you
22 and Mr. Podlasek have a very unique relationship. So
23 it is very appropriate on Valentine's Day. Can we set
24 this down then for hearing?

1 MR. PODLASEK: Yes, your Honor.

2 THE DEFENDANT: Judge, I want to make some
3 statement on the record.

4 THE COURT: Go ahead.

5 THE DEFENDANT: Actually, you remember during the
6 last year when the State gave me the response, my
7 entire file back. And you also remember that
8 Mr. Podlasek also sent me to jail for two weeks for
9 having received my file from Mr. Podlasek. So I have
10 information from those two files. So when I receive my
11 entire file from Mr. Podlasek, I discover that there
12 were some document, entire document that were removed
13 from that file. That was part of my communication with
14 Mr. Podlasek still in that file. That were my lawyer's
15 note in that file, and the Social Security card, Social
16 Security number and credit card information. He was
17 supposed to redact it. Plainly anybody can see those
18 and --

19 THE COURT: You mean the information from last
20 court date?

21 THE DEFENDANT: Yes.

22 THE COURT: Mr. Podlasek, do you have that? You
23 were going to redact that and get that back to her?

24 MR. PODLASEK: I haven't done it yet.

1 THE DEFENDANT: Judge, that's where I am coming
2 from. I know he came here the last time, and then he
3 said, oh, he was so sorry, and then he apologized for
4 it, but the damage is now irreversible. The damage has
5 already been done.

6 Judge, if the State charge me, let's say,
7 with murder or with aggravated battery, and then I come
8 in front of you and tell you, "Oh, Judge, oh, that was
9 just a mistake," and then I apologize for it, the State
10 will not accept that type of defense. And the State
11 live by certain rules. The State also have to die by
12 certain rules. He has to walk the talk. Nobody is
13 above that law.

14 So this is a pending Motion to Dismiss. And
15 if this motion is denied, I am going to punish the
16 State prosecutor for what he did because, Judge, if you
17 think this case is bad, if you think the eavesdropping
18 case is bad, wait until you get to the computer
19 tampering case. The case had seven kinds of perjury
20 from the State prosecutor. He has no witness. He has
21 no evidence. He have five year pending motion for
22 discovery. So the State, using a false pretense from
23 redacting credit card information and Social Security
24 number, he took my file to perfect his own case. And I

1 am going to see that he gets punished for that.

2 THE COURT: All right. Well, so the record is
3 clear, Ms. Melongo, the State received the file back
4 from your attorney at the Court's order so that the
5 file could be redacted. And, yes, it is true that it
6 appears that some documents, I don't think a great
7 volume of documents, were not redacted, because you
8 brought that to my attention last time up. But
9 Mr. Podlasek is acting pursuant to my order, as far as
10 discovery goes on this case, that the file be tendered
11 to him so that it could be redacted.

12 Now he didn't see any confidential
13 information because I had specifically asked
14 Mr. Albuquerk, who represented you prior, to make sure
15 that any confidential attorney-client information was
16 not included in the file he gave to Mr. Podlasek. And,
17 as a matter of fact, he did that.

18 THE DEFENDANT: Judge, unfortunately that
19 information was there. Unfortunately what -- the last
20 time was just a sample. There are stacks and stacks of
21 documents that were redacted, some of them entire
22 pages. There were document, complete subpoena response
23 from Mr. Albuquerk that were removed from my case. And
24 I didn't bring that information today because it is

1 going to be part of the evidence in my Motion to
2 Dismiss. Because if I bring it today, then the State
3 will use it and then do whatever it want with it. I am
4 going to put that evidence in my Motion to Dismiss.

5 THE COURT: Well, let's deal with one thing at a
6 time. So right now you have filed a Motion to Dismiss
7 the charges as being unconstitutional?

8 THE DEFENDANT: Yes.

9 THE COURT: Let's set this down for hearing on
10 your motion. And then depending on whatever that
11 ruling is, obviously you can file more motions, if you
12 wish.

13 THE DEFENDANT: Okay.

14 THE COURT: All right. Let's go to, since I do
15 want to read this very thoroughly, how is the week of
16 the 13th or 19th of March?

17 THE DEFENDANT: The 13th is fine for me.

18 MR. PODLASEK: Judge, I start a trial before Judge
19 Joyce on March 12th. It should only last about two
20 days.

21 THE COURT: Let's go the 15th then.

22 THE DEFENDANT: Okay. The 15th is a Thursday.

23 THE COURT: That's a Thursday.

24 THE DEFENDANT: Okay.

1 THE COURT: All right. We are going to make this
2 then by agreement March 15th.

3 MR. PODLASEK: Yes, your Honor.

4 THE COURT: With for argument on the motion.

5 THE DEFENDANT: And, Judge, sorry if I have to
6 bother you with this issue but I still have an
7 unresolved issue of my passport.

8 THE COURT: The clerk is still looking for your
9 passport.

10 THE DEFENDANT: Yes. Ms. Peggy Anderson, she
11 actually look for my passport here. She also called
12 downtown at the Daley Center. Nobody has my passport.
13 So if Podlasek took it upon himself to charge me,
14 prosecute me, and then he also made sure that all name
15 and information was redacted so there is nobody I can
16 actually call to know where is my passport. So if
17 Mr. Podlasek can call up and call the officer,
18 arresting officer or whoever it was, because I don't
19 have that information.

20 THE COURT: Are there photocopies of your
21 passport?

22 THE DEFENDANT: It is my entire passport. I want
23 the photocopies because I need those.

24 THE COURT: Do we have photocopies?

1 MR. PODLASEK: I couldn't find any photocopies in
2 the file.

3 THE DEFENDANT: It is the entire passport.

4 MR. PODLASEK: There is no reason to copy a
5 passport. Normally when it is surrendered, it is
6 surrendered to the clerk.

7 THE COURT: Right. I mean, when passports are
8 surrendered, and obviously I was not the judge when
9 that occurred, the clerk is supposed to keep the
10 passport in a confidential file.

11 THE DEFENDANT: Yes. And Mr. Podlasek came here,
12 on record, asked the judge to have my passport
13 surrendered. So I didn't even know what happened to my
14 passport. I knew I had a passport. And Mr. Podlasek
15 knows that when I was arrested, that passport was in my
16 property. So where is my passport? Nobody knows.

17 MR. PODLASEK: Judge, what I will do is I will
18 call the original arresting officer in the original
19 case out of the suburb where it is located. I think it
20 is Villa Park. And I will see if they took any
21 personal material. But I can't believe --

22 THE COURT: Ms. Melongo, did you ever surrender
23 your passport in court? Did you ever surrender your
24 passport in court?

1 THE DEFENDANT: No. Mr. Albukerk objected to it,
2 and I asked him to object to it. He objected.

3 THE COURT: And was it taken from you when you
4 were arrested?

5 THE DEFENDANT: Yes.

6 THE COURT: It is with the police department then.
7 All right. Mr. Podlasek, check with the police
8 department.

9 MR. PODLASEK: I will, Judge. But just, for the
10 record, Mr. Albukerk came on the case well after the
11 passport would have been surrendered. So I am not
12 quite sure how he could have objected to it. She has
13 had -- Ms. Melongo has had several attorneys prior to
14 Mr. Albukerk, including the Public Defender's Office.

15 THE DEFENDANT: Judge, when I was arrested,
16 Mr. Albukerk was my lawyer. It doesn't matter if I had
17 millions of lawyers before that. Mr. Albukerk was my
18 lawyer, and he objected. Mr. Podlasek came, asked
19 Judge Brosnahan, he want my passport surrendered.
20 Mr. Albukerk objected to it. And then we never heard
21 about a passport. So when I got out of jail, I asked
22 the property, "Where is my passport?" Nobody knows
23 where is my passport.

24 THE COURT: All right. They are still going to

1 check. Obviously the police department has not been
2 checked with yet. And that's going to occur. And the
3 clerk is going to continue to look as well, so.

4 MR. PODLASEK: Judge, I would also suggest that we
5 go back to the original case with Judge Schreier
6 because I think that would have been the time that we
7 would have asked for the passport to be surrendered.

8 THE DEFENDANT: No, Judge. I was arrested
9 April 14, 2010. Judge Schreier was back there in 2007.
10 It is when I got arrested in 2010.

11 THE COURT: That's when they took your passport?

12 THE DEFENDANT: Yes. And that's why I wanted all
13 those transcripts. Judge, you see now, if you had all
14 those transcripts, I will have shown you the line where
15 Mr. Podlasek came in and asked for my passport to be
16 surrendered. So my passport was in the State's
17 possession in April 14 -- no, April 13, that's when I
18 got arrested, 2010.

19 THE COURT: Hold on. Stewart, I am going to ask
20 you to search the half sheet and look for passport
21 being surrendered, and I will order the transcript for
22 that to see what the judge said and where the passport
23 is. It is going to be by agreement March 15th with for
24 motions.

1 MR. PODLASEK: Both cases?

2 THE COURT: Both cases.

3 THE DEFENDANT: Thank you, Judge. Happy
4 Valentine's.

5 THE COURT: Happy Valentine's Day to you, Ms.
6 Melongo.

7 (Which were all the proceedings
8 had in the aforementioned cause
9 this date.)

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IN WITNESS WHEREOF, I do hereunto set my hand
this 4th day of December, 2012.

AAA-12

EXHIBIT CC



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1 THE CLERK: Annabel Melongo.

2 MR. PODLASEK: Good morning, Judge.

3 MS. MELONGO: Good morning, Judge.

4 THE COURT: Good morning, Ms. Melongo.

5 MS. MELONGO: Annabel Melongo.

6 MR. PODLASEK: Judge, for the record Robert
7 Podlasek, P-O-D-L-A-S-E-K, on behalf of the State.

8 THE COURT: All right. We held this case over
9 from last week. I was engaged in a jury trial and
10 it's for Ms. Melongo's subpoenas.

11 MR. PODLASEK: Right, Judge.

12 THE COURT: She has tendered copies of
13 subpoenas to the State, various things she wishes
14 to subpoena so I told her that she must go through
15 the Court. And Mr. Podlasek, you're in receipt of
16 those?

17 MR. PODLASEK: I am, Judge, and I've reviewed
18 them. Some I have no objections to at all. One
19 thing I would point out is I think all the
20 subpoenaed materials must be returned to you, not
21 to Ms. Melongo.

22 THE COURT: Correct.

23 MR. PODLASEK: Regardless of whether they're
24 bank records or otherwise. So if you want to just

1 go through them we can do this pretty quickly.

2 THE COURT: All right. How many do you have
3 objections to?

4 MS. MELONGO: Actually, Your Honor, this is
5 for Shahna Monqe (inaudible). She's the one that
6 made the forensic computer tape.

7 MR. PODLASEK: She used to work for the
8 Attorney General's Office.

9 THE COURT: Who did?

10 MR. PODLASEK: Shana Monqe.

11 THE COURT: Can you spell that?

12 MR. PODLASEK: Monqe; Shahna, S-H-A-H-N-A.

13 THE COURT: All right. Your objection to that?

14 MR. PODLASEK: I just received this.

15 MS. MELONGO: Judge, I don't even think he can
16 object to it because she's the one who made the
17 report accusing me of accessing the computer, and
18 since she's made that report she vanished, nobody
19 knows where she is. The State needs to get me her
20 whereabouts. And that's why I tried to find out if
21 she has a website, so I contacted the website to
22 give me the information but the State is the
23 neglecting to tell me where she is.

24 MR. PODLASEK: Judge, she used to work for the

1 Cyber Crime Unit for the Attorney General's Office.
2 They did the analysis open this case initially.
3 Anybody from the Cyber Crimes Unit can testify on
4 behalf of the --

5 MS. MELONGO: Forensic examination performed by
6 her. She did a forensic examination, she vanished.
7 The Illinois Attorney General isn't agreeing to
8 tell me her whereabouts, the State is unwilling to
9 tell me her whereabouts. If it wasn't for her
10 computer tampering the case would have never
11 existed.

12 THE COURT: Mr. Podlasek, do you know where
13 she's at?

14 MR. PODLASEK: I don't, Judge.

15 THE COURT: All right. What I've been tendered
16 is a copy of the report. Is this her report?

17 MS. MELONGO: Yes. I mean, it's part of it.
18 She made like two CD's and then she made a big
19 report. All of them was just junk and there was
20 no evidence that I actually committed a crime, and
21 once she made that she disappeared, she vanished.

22 THE COURT: Let me see the subpoena.
23 Ms. Melongo has every right to question her
24 considering she did a forensic report in this

1 matter regardless of whether or not you intent
2 to call her, Mr. Podlasek.

3 MR. PODLASEK: Judge, I didn't say we were
4 objecting to this.

5 THE COURT: Okay.

6 MR. PODLASEK: I think she has a web site and a
7 business address which is fine. Asking for
8 residential address I'm not sure.

9 MS. MELONGO: I mean, it's not that I am --
10 actually I want how she can be contacted so that I
11 can ask her for the actual report. It's not that I
12 want --

13 THE COURT: Can you get her here by calling the
14 Attorney General's Office? I'm sure they must know
15 where she's at.

16 MR. PODLASEK: I know she's out of state.

17 MS. MELONGO: Judge --

18 THE COURT: She's out of state.

19 MS. MELONGO: Judge, I've already called.

20 Either they are not willing to give me the
21 information or they don't know where she is.

22 MR. PODLASEK: If you give me that I'll be
23 happy to call the Attorney General's Office to see
24 if we can contact her. Maybe we can set up some

1 kind of phone conference.

2 THE COURT: All right. It seems a little
3 expansive. I'm going to allow you to find this
4 witness but subpoena the phone records, you don't
5 even know what they are.

6 MS. MELONGO: Actually I want anything.

7 THE COURT: Let me see if we can accomplish
8 this without getting all this personal information;
9 otherwise as I stated, Ms. Melongo, you have an
10 actual right to subpoena her in and talk to her
11 considering she made the forensic report in this
12 case.

13 MR. PODLASEK: For the record the State has
14 no objection to be her contacting this witness.

15 THE COURT: Or what I'll allow you to do is
16 subpoena the Attorney General's Office to supply
17 her last-known address.

18 MS. MELONGO: She doesn't work there. It
19 has been like six years. She does not work there
20 anymore. She actually -- I called the Attorney
21 General's Office, they said they don't know where
22 she is. I've been after her for years. After she
23 made the report she disappeared.

24 THE COURT: All right. I'm going to let

1 Mr. Podlasek try to track her down. If not I will
2 allow a form of that subpoena to go out for sure so
3 that you can find her.

4 MR. PODLASEK: Judge, once again, the form of
5 the subpoena should be returned to the court.

6 THE COURT: All subpoenas have to be returned
7 to the court and not to you, Ms. Melongo.

8 MS. MELONGO: Yes, everything. I'm going to
9 have al of the subpoenas returned. And Judge, last
10 but not least, actually during our last court
11 hearing you gave us the assignment to read the
12 ruling in the Seventh Circuit Court.

13 THE COURT: I'm not at that yet, so let's just
14 hold off on that for right now. And I want to deal
15 with the subpoenas matter first. So what other
16 subpoenas do you have any objection to?

17 MR. PODLASEK: Carol Spizzirri. I'm objecting
18 to Paragraphs 8, 9, 10, 11 and 12.

19 THE COURT: You're okay with all the other
20 paragraphs. You're objecting to 8, 9, 10, 11 and
21 12.

22 MR. PODLASEK: 10, 11 and 12.

23 MS. MELONGO: Okay. Judge, I'm going to tell
24 you why I actually need the information. This is

1 the transcript the Grand Jury transcript.

2 THE COURT: Hold on. First of all, I'm totally
3 unfamiliar with this case. Can you give me a
4 little background of what's alleged here briefly,
5 Mr. Podlasek.

6 MR. PODLASEK: Judge, briefly Ms. Melongo's
7 been charged with computer tampering. She used to
8 work for Carol Spizzirri for Save A Life Foundation
9 which is a not-for-profit foundation. When she was
10 terminated for her job she entered the computer
11 system from a location, remotely interfered with
12 the files, destroyed some files and made them
13 inaccessible. She also is charged with tampering
14 with the e-mail of Carol Spizzirri. These are all
15 Class 4 felonies.

16 THE COURT: All right.

17 MS. MELONGO: Judge, can I tell me my version
18 of the -- that's his version.

19 THE COURT: Well, I just want to know what's
20 alleged.

21 MS. MELONGO: Oh, okay.

22 THE COURT: I'm not accepting that it's true by
23 any means, Ms. Molongo. I just need to know a
24 brief history so I can make an appropriate ruling.

1 You know, you shouldn't say anything as far as the
2 State can hold that against you, okay.

3 MS. MELONGO: Okay.

4 THE COURT: I just needed to know what's
5 alleged. All right. So 8 reads, "Bills and
6 invoice which related to the hiring of experts for
7 the computer incident that occurred April 28, 2006
8 tl May 12, 2006.

9 MR. PODLASEK: Judge, in that case there's
10 none.

11 THE COURT: Was there experts hired?

12 MR. PODLASEK: There were experts that were
13 brought in but there's no purpose to having bills
14 and everything -- we have no objection to reports.
15 Everything that we have they're no longer entitled
16 to it.

17 MS. MELONGO: Judge, there is a purpose.

18 THE COURT: Hold on, hold on. Had who paid the
19 bills? Ms. Spizzirri?

20 MR. PODLASEK: Yes.

21 THE COURT: All right. As to Number 8.

22 MS. MELONGO: Okay.

23 THE COURT: We're going to take them one at a
24 time.

1 MS. MELONGO: Actually Spizzirri's version of
2 the story is because of the incident she actually
3 paid up to you 200,000 to expert and actually the
4 company went down because of this incident and
5 because of what happened. Actually you can read
6 this part of the first paragraph. That's the
7 report she sent to the Illinois Attorney General.
8 In fact, none of it actually ever happened, so if
9 I can prove that what she is saying never happened
10 I also have good basis to win my case in front of a
11 jury.

12 THE COURT: All right. And these experts are
13 going to be testifying at trial?

14 MS. MELONGO: Exactly.

15 THE COURT: Those will allowed. All right,
16 let's go to Number 9. "Copies of checks given to
17 Annabel Melongo for services at Save A Life
18 Foundation." Are you the talking about your
19 personal paychecks then?

20 MS. MELONGO: Yes.

21 THE COURT: All right. And your objection is
22 what?

23 MR. PODLASEK: Judge, she's received the
24 checks.

1 MS. MELONGO: No.

2 THE COURT: But she cashed them so she doesn't
3 have them anymore.

4 MR. PODLASEK: I don't know if Ms. Spizzirri
5 still has any access to them.

6 THE COURT: If she has them they will be
7 allowed. "All documents showing proof of the
8 financial loss of one million due to the computer
9 incident as stated in the May 2008 Grand Jury."
10 All right. The alleged loss here is?

11 MS. MELONGO: One million dollars.

12 MR. PODLASEK: A million dollars in donations,
13 Judge. What was lost was the donor's list.

14 MS. MELONGO: No, Judge. That's not true. I'm
15 going to show you the indictment. She said she
16 lost one million dollars because of the incident.
17 Page 9; 9, 9. "I mean, one million dollars doesn't
18 disappear out of the blue. If you lost it you have
19 to track it to how it got lost.

20 THE COURT: This isn't her testimony.

21 MS. MELONGO: That is the --

22 MR. PODLASEK: The detective.

23 MS. MELONGO: -- the detective.

24 THE COURT: The detective.

1 MR. PODLASEK: She wasn't charged with a one
2 million dollar theft, Judge.

3 MS. MELONGO: I mean, if you tell the Grand
4 Jury that they lost one million dollars you'd
5 better have proof to show it. I mean, one million
6 dollars is not like a hundred dollars.

7 THE COURT: Are you seeking to put in what the
8 financial loss is in your case?

9 MS. MELONGO: I hadn't thought about it at this
10 point.

11 THE COURT: I don't know that it would be
12 relevant at this point. I'm not going allow the
13 state to put in a financial loss because it's not
14 relevant to the charge and so I'm not going to
15 allow you to subpoena documents showing the
16 financial loss of a million. This is extraneous
17 testimony by a detective in the Grand Jury. It's
18 not part of the elements of proof as to what you're
19 charged with.

20 MS. MELONGO: Judge, it is because I'm charged
21 with deleting financial documents.

22 THE COURT: If it's not an amount in the
23 indictment.

24 MS. MELONGO: I have the charge here. I'm

1 charged with deleting the financial documents.

2 THE COURT: But there's not an amount that the
3 State needs to prove. It's irrelevant. I'm not
4 going to allow it in any way.

5 MS. MELONGO: Okay.

6 THE COURT: So 10 will have to be stricken.

7 MS. MELONGO: All right. 11, "All documents
8 including e-mails, personal files and checks for
9 former computer consultant Victor Rodriguez.

10 MS. MELONGO: Judge, we can remove that one
11 because the movant has subpoenaed, provided
12 information, but the State went and redacted the
13 entire information. So either the State give me
14 the unredacted information or I subpoena that
15 information. It's up to the State.

16 THE COURT: All right. Do you have that
17 information?

18 MR. PODLASEK: Judge, it was subpoenaed before
19 by her attorney, but there's no basis for
20 subpoenaing all these former employees, their
21 personal information, their personnel records.
22 This isn't a broad fishing expedition.

23 MS. MELONGO: Judge, it is a basis because she
24 also accused these individuals to tamper with her

1 computer and then --

2 THE COURT: Hold on. What did Victor Rodriguez
3 do relative to this case?

4 MR. PODLASEK: Nothing in this case, no.

5 THE COURT: What did he do?

6 MS. MELONGO: Judge, he was the computer --
7 actually the computer technician at his place, but
8 prior to that Ms. Spizzirri also accused exactly --
9 the thing she's accusing of me of, she also accused
10 him of doing the exact same thing.

11 THE COURT: She accused Mr. Rodriguez of doing
12 the exact same thing?

13 MS. MELONGO: Exactly. And then when Podlasek
14 got that information he redacted because we got the
15 subpoena returned from (inaudible) Technology so he
16 went on and redacted that entire information.

17 THE COURT: All right. Well, I will allow you
18 to subpoena is there any accusations relative that
19 Victor Rodriguez committed computer tampering but
20 not all e-mails, personal files and checks.

21 MS. MELONGO: Okay.

22 THE COURT: But you can say any and all
23 documents relative to Victor Rodriguez in the
24 nature if he was accused of computer tampering and

1 shows specific dates. That you can do.

2 MS. MELONGO: Okay.

3 THE COURT: 12, "All documents including
4 e-mails, personal files and checks to former Save A
5 Life Foundation employee Christian Sacks, SA."
6 Who's that?

7 MR. MELONGO: Christian Sacks is the one who
8 replaced me and Christian Sacks created like bogus
9 e-mails.

10 THE COURT: I'm sorry. Created what?

11 MS. MELONGO: He kind of created a bogus --

12 THE COURT: Bogus, okay.

13 MS. MELONGO: He created a bogus e-mail
14 accusing me of accessing the server of Save a Life
15 Foundation. So Christian Sacks is actually -- I
16 mean, he's relevant to this case, so I don't know
17 why Mr. Podlasek is objecting to that.

18 THE COURT: Is Mr. Sacks going to testify?

19 MR. PODLASEK: I hadn't planned on calling him.

20 MS. MELONGO: If he doesn't I'm going to call
21 him.

22 THE COURT: You're going to call him?

23 MS. MELONGO: Yes.

24 THE COURT: For what purpose?

1 MS. MELONGO: To come and tell us why he
2 created a bogus e-mail accusing me of accessing the
3 Save a Life server.

4 THE COURT: He sent an e-mail to somewhere
5 else?

6 MS. MELONGO: Yes. And the State had that E
7 mail, the evidence, the G mail, the G account.

8 THE COURT: Do you have that E mail?

9 MR. PODLASEK: We turned everything over.
10 Again information has been tendered to all of her
11 attorneys.

12 MS. MELONGO: But --

13 THE COURT: All right. Hold on. It's too
14 broad but I'm going to allow you to again to
15 subpoena any documents relative to this case --

16 MS. MELONGO: Okay.

17 THE COURT: -- as far whatever Christian Sacks
18 sent to anyone complaining that you created a
19 fictitious or bogus in your words computer scheme
20 or whatever exactly it was.

21 MS. MELONGO: Okay.

22 THE COURT: Okay. But you can't just have any
23 and all E mails, personal files and checks. That's
24 way too broad.

1 MS. MELONGO: Okay.

2 THE COURT: All right. It has to be related
3 to the case, so I will allow you to do that but
4 you're going to have to change that language, okay?

5 MS. MELONGO: Yes.

6 THE COURT: All right. The next one, State?
7 That concludes all that information.

8 Actually are there any attorneys that need
9 to be in another courtroom right now? I can pass
10 this matter? All right. We're going to pass this
11 briefly, but I want to get some attorneys out of
12 here that need to get to other courtrooms, okay.

13 MS. MELONGO: Okay.

14 THE COURT: Have a seat, Ms. Melongo and
15 Mr. Podlasek, and we will re-call this matter
16 shortly.

17 (Above-entitled case was passed and
18 later re-called.)

19 THE CLERK: Re-call Annabel Melongo.

20 THE COURT: Okay. Let's move on to the next
21 thing.

22 MR. PODLASEK: Theresa Harris of the Attorney
23 General's Office Charitable Trust Division. She's
24 asking for any investigation files regarding Save a

1 Life Foundation. There's been no charges brought
2 against Save a Life Foundation. They haven't been
3 indicted. Spizzirri hasn't been indicted.

4 MS. MELONGO: Judge.

5 MR. PODLASEK: Judge, we might as well do Mike
6 Hood from the Attorney General's Office. It's the
7 same subpoena just to the Criminal Division.

8 THE COURT: What was Ms. Theresa Harris' role
9 in the investigation of the case?

10 MR. PODLASEK: Huh?

11 MS. MELONGO: Okay.

12 THE COURT: Go ahead, Ms. Melongo.

13 MS. MELONGO: Judge, actually those subpoenas
14 should actually have never been issued, but the
15 reason I issued --

16 THE COURT: Hopefully you haven't issued them
17 yet.

18 MS. MELONGO: Yes. Mr. Albukerk issued the
19 exact same subpoena.

20 THE COURT: Hold on, hold. You have not sent
21 the subpoenas out.

22 MS. MELONGO: No?

23 THE COURT: Okay.

24 MS. MELONGO: Anyway, Mr. Albukerk issued those

1 subpoenas to Theresa and to Michael Hood and when
2 the State got my file he actually went on he and
3 removed that information from my file. I can show
4 you the subpoena. And then there were actually --
5 I have the other subpoena here and I'm going to
6 send you the only thing I have. The State removed
7 everything and that's why I'm reissuing the
8 subpoena. I mean, the State should not have
9 removed those. I have the one from Theresa
10 somewhere.

11 THE COURT: All right. Ms. Melongo, are you
12 alleging in these subpoenas or do you have
13 information that Save a Life Foundation is being
14 investigated criminally by the Attorney General's
15 Office?

16 MS. MELONGO: Of course, Judge.

17 THE COURT: What do you have as a basis?

18 MS. MELONGO: I showed you the proof. Judge,
19 this is an exchange of correspondence between like
20 Senator Bill Bivens. Bivens is a State senator
21 asking why the investigation has been pending for
22 two years. And this is a response from Lisa
23 Madigan's office.

24 THE COURT: All right. Ms. Melongo has

1 tendered me documents from Senator Bivens to
2 Attorney General Lisa Madigan and there is a
3 response back from Chief Deputy Attorney General
4 confirming that there was an investigation on March
5 2, 2012 in saying it's ongoing, Safe a Life
6 Foundation and Ms. Spizzirri. What's your
7 response?

8 MR. PODLASEK: It's an ongoing investigation,
9 Judge.

10 MS. MELONGO: It's ongoing then the
11 investigation can help my case.

12 MR. PODLASEK: Judge --

13 MS. MELONGO: I don't see why --

14 THE COURT: Hold on. One at a time.

15 MR. PODLASEK: Ms. Melongo's not entitled to
16 law enforcement documents on ongoing
17 investigations, simple as that. Of the Attorney
18 General wants to come in here and make those public
19 on their own, that's fine.

20 MS. MELONGO: Judge, the investigation is
21 about my case too. You can read the first
22 paragraph of this. The investigation is about my
23 case. It's not that it has to do with law
24 enforcement or something. It is Spizzirri sending

1 some information to the Illinois Attorney General
2 but later she received from them --

3 THE COURT: I'm going to allow Ms. Melongo to
4 subpoena any and all documents --

5 MS. MELONGO: Thank you, Judge.

6 THE COURT: -- as it relates to this case from
7 the Attorney General because she has just tendered
8 me a letter from an Assistant Attorney General
9 Barry Goldberg mentioning Ms. Melongo's name and it
10 indicates other people were trying to break into
11 the SALF network, the Save a Life Foundation I
12 assume.

13 MR. PODLASEK: Yes.

14 THE COURT: And it does, in fact, relate to
15 Ms. Melongo's case. However, those records will
16 have to be viewed by me.

17 MS. MELONGO: Okay.

18 THE COURT: And I will determine what, if any,
19 records will be tendered.

20 MS. MELONGO: Okay.

21 THE COURT: So she may send that subpoena.
22 Ms. Melongo, you have to address it as it relates
23 to you as well, okay.

24 MS. MELONGO: Okay. Thank you.

1 THE COURT: What else?

2 MR. PODLASEK: Judge, there's numerous
3 subpoenas sent out to various banks. I'm going to
4 address them. They're all the same is. TCF Bank
5 is asking for all financial records of Save a Life
6 Foundation from 2005 to 2009; J.P. Morgan Chase,
7 the same subpoena; American Express, the same
8 subpoena; 5th Third Bank is actually asking for
9 bank records for companies called Carrera
10 Management Corporation/Windsor Management
11 Corporation.

12 MS. MELONGO: Judge, I'm going to explain that
13 one.

14 THE COURT: I'm sorry. You're going to
15 withdraw that one did you say?

16 MS. MELONGO: No, I'm going to explain that
17 one.

18 MR. PODLASEK: As far as the bank records,
19 Judge, there's no relevance to Ms. Melongo's cases
20 her need for American Express records or the bank
21 records from Save a Life Foundation.

22 THE COURT: All right.

23 MR. PODLASEK: Particularly for the entire
24 time period that --

1 THE COURT: All the subpoenas are the same for
2 all the banks in that they say the account
3 information for Save a Life Foundation in the time
4 frame 2005 to 2009. The information should include
5 but not limited to the account information, opening
6 and closing documents, transactions and financial
7 statements. Why do you need that?

8 MS. MELONGO: Okay, Judge. Carol Spizziri
9 starting with the incident actually I caused the
10 downfall of her organization and then she lost
11 money and because of the incident she couldn't have
12 donations anymore, everything just went belly-up
13 because of me. So in my reasoning if I can get the
14 bank records and show that it was business as
15 usual, that had they still got some donations that
16 nothing actually was missing in the day-to-day
17 business of the the organization, then I have a
18 point to win my case.

19 THE COURT: All right. I'm looking at the
20 indictment again and you're not charged with having
21 Safe a Life Foundation go under so to speak or go
22 defunct. You're charged with accessing their
23 computer data server located int Schiller Park,
24 Illinois and permanently deleting, removing or

1 altering hundreds of computer files although it
2 does say critical to Save a Life Foundation, Inc.'s
3 operations; in the process permanently destroyed
4 the computer.

5 MS. MELONGO: Judge, the indictment stated the
6 donation was stopped because of the incident in the
7 indictment. I can show you the page where it said
8 they lost donation because of the incident. Like
9 Page 3 of the indictment, Line 3. So if I can have
10 the bank documents and show that a donation was
11 received going to the organization and then nothing
12 happened to the organization because of the
13 incident if the incident it was, then I have a
14 point for my case.

15 THE COURT: How are you going put this in,
16 financial information or that Save a Life
17 Foundation went under as a result?

18 MR. PODLASEK: Save a Life Foundation, I
19 believe the time frames for the computer tamperings
20 ended in 2006.

21 THE COURT: It says on or about May 1, 2006.
22 I'm sorry. From on or about May 28, 2006
23 continuing to on or about May 1, 2006.

24 MR. PODLASEK: So it's that short time period

1 that the computer tampering took place.

2 MS. MELONGO: But the damage actually -- like
3 she said, the donations was stopped. I mean, the
4 reason I wanted 2005 is to compare -- you can only
5 compare if you have data from the previous year, so
6 if I can see that the organization was flourishing
7 in 2005 and because of the incident things started
8 declining from 2006 to its closing, then maybe the
9 State would have a case it happened because of the
10 incident, but I need the 2005 just to compare the
11 donations and everything.

12 THE COURT: All right. Well, Ms. Melongo, I'm
13 not going to allow the State to get into the
14 results if they can even show that you did these
15 actual things or took these action that these
16 actions were caused by you. They're not going to
17 get into whether or not Save a Life Foundation went
18 defunct because of what the allegations are against
19 you. We're not going to get into all Save a Life
20 Foundations's history of donations. Are they still
21 in existence?

22 MR. PODLASEK: No.

23 MS. MELONGO: They shut because of me.

24 THE COURT: All right. I'm going to deny these

1 subpoenas. That's not an issue at trial, okay. So
2 these subpoenas are denied.

3 MR. PODLASEK: Judge, there's a subpoena to
4 Anderson Hospital asking for all documentation of
5 donations to Save a Life Foundation from Anderson
6 Hospital I think again from the period of 2005 to
7 2009.

8 MS. MELONGO: Okay.

9 THE COURT: How is Anderson Hospital relevant
10 to this case?

11 MS. MELONGO: Save a Life has kind of
12 satellite. Like the headquarters was in Schiller
13 Park and then they have offices all over the state.
14 Anderson was one of those satellites. So the
15 reason I want the documents because if something
16 really happened then they should have E mails that
17 prove that, oh, we cannot contact you because we
18 don't have the documents and all those kind of
19 things because in the indictment they say they
20 couldn't have access to their -- they say they lost
21 all the important documents and everything. So all
22 that would reflect in the conversation in the E
23 mail or the documents they have from Save a Life
24 and that's why I need those documents. Anderson

1 was kind of the satellite of Safe a Life
2 Foundation.

3 THE COURT: What do you mean they were a
4 satellite?

5 MS. MELONGO: They had an office there.
6 Actually Save a Life Foundation has an office. It
7 was not the entire hospital.

8 THE COURT: At the hospital?

9 MS. MELONGO: Yes. They had an office at the
10 hospital and actually I only subpoena that office.
11 I don't subpoena medical stuff, I just subpoena the
12 E mail and the documents and everything.

13 THE COURT: All right. I'm going to allow you
14 to subpoena any records they may have as it relates
15 to you in this case for this time period.

16 MS. MELONGO: Okay.

17 THE COURT: So you're going to have to change
18 the wording. Your wording says all communications
19 between Anderson Hospital and Safe a Life
20 Foundation from 2005 to the closing of the
21 foundation in 2009. That's way overbroad and I'm
22 not going allow any and all communications. Only
23 as it relates to you as it relates to this computer
24 tampering case that you're charged with but not any

1 and all communications between Save a Life and
2 Anderson Hospital and definitely not medical
3 records, if any.

4 MS. MELONGO: No.

5 MR. PODLASEK: Judge, there's four individuals
6 that have been subpoenaed: Brian Salerno, Vincent
7 Davis, Dane Neal and Cary Viehweg, V-I-E-H-W-E-G.
8 All of them request the same information. It's
9 Paragraph 2 that I'm objecting to.

10 THE COURT: Okay.

11 MR. PODLASEK: Again Ms. Melongo is asking for
12 all information regarding the history of Save a
13 Life Foundation from 2005 to 2009.

14 THE COURT: First of all, who are these
15 individuals?

16 MS. MELONGO: Okay. Judge, like I said, those
17 subpoenas again should not have been re-subpoenaed
18 because Mr. Albekerk already sent those subpoenas
19 out and then they responded but once the State got
20 my --

21 THE COURT: No one responded did you say?

22 MS. MELONGO: They responded. So when
23 Mr. Podlasek got my file, I have all the subpoenas
24 here, when Mr. Podlasek got my file he went on and

1 removed the documents and that's why I'm re-issuing
2 the subpoena. And those were actually -- those
3 were all managers at Save a Life Foundation. Some
4 of them are in the police reports, that is Schiller
5 Park police issued, so that's why I'm asking them
6 for any information they have in connection to the
7 incident.

8 THE COURT: All right. Mr. Podlasek.

9 MR. PODLASEK: Judge, the incident took place
10 in a very narrow time frame. That's the Stat's
11 focus in this case. 2006 is the only operative
12 time frame in this case. It's not 2009, 2008,
13 2007.

14 THE COURT: So you have no objection to the
15 subpoena, just to the broad nature?

16 MR. PODLASEK: Broad nature of it again,
17 Judge.

18 THE COURT: Okay.

19 MS. MELONGO: Judge, actually I don't know why
20 he's talking about the broad nature. Those are the
21 subpoenas Albekerk issued.

22 THE COURT: I know, but they are overbroad,
23 Ms. Melongo. For the record, Paragraph 2 says "All
24 communications still in your possession regarding

1 Save a Life Foundation from 2005 to the closing of
2 the foundation in 2009. Communications should
3 include but not limited to memos, E mails, letters
4 papers or digital faxes, conversations, notes and
5 that's it.

6 MS. MELONGO: Judge.

7 THE COURT: Go ahead.

8 MS. MELONGO: Actually those subpoenas were the
9 exact same copy of the ones Mr. Albekerk issued.
10 And what I find surprising is when Mr. Albekerk
11 issued a subpoena Mr. Podlasek didn't object to
12 those subpoenas but now when I'm issuing the
13 subpoena he comes and objects to it. Those are
14 exactly -- you can take this subpoena word for
15 word. I made the exact same copy.

16 THE COURT: All right. We're not going to
17 compare apples and oranges because Mr. Podlasek may
18 not have known that. But I am going to allow you
19 to subpoena these individuals but for records as
20 they relate to you, not any and all records
21 regarding Save a Life Foundation.

22 MS. MELONGO: Okay

23 THE COURT: Okay. So as it relates to you, if
24 they have any information in their possession and

1 as it relates to this case.

2 MS. MELONGO: Okay.

3 THE COURT: Okay. So you will be allowed to
4 subpoena those individuals but not in that fashion.
5 Mr. Albekerk's subpoena was overbroad as well.

6 MR. PODLASEK: That's it, Judge. The other
7 ones we have no objection to.

8 THE COURT: All right. The State has no
9 objection to the other subpoenas so you may send
10 out the other subpoenas.

11 MS. MELONGO: Okay.

12 THE COURT: All right. The corrected ones, I
13 would like to see them before you send those out.
14 So what's a good date for that?

15 MS. MELONGO: Actually, generally I need a lot
16 of time. I'm going to need like maybe a month.

17 THE COURT: All right. You can send any of the
18 one s we've gone over in court and I've corrected.
19 I want to see those before you send them out. Any
20 of the ones that Mr. Podlasek does not have an
21 objection to you can send out immediately.

22 MR. PODLASEK: Judge, the only objection, I
23 should rephrase that, is that they have to be
24 corrected to make sure that the material is

1 returned to Your Honor.

2 THE COURT: Right. That's why I want to see
3 them.

4 MR. PODLASEK: And drafted properly.

5 THE COURT: All right. Actually that's
6 probably a good idea. For all subpoenas I am going
7 to revise this and I want to see all of them before
8 they go out, all right, just to make sure they're
9 in proper form. What's a good date for that? So
10 Ms. Melongo, do not send out any subpoenas until I
11 have looked at them all, okay.

12 ME. MELONGO: Well, Judge, I think we're not
13 done yet. We still have the eavesdropping case and
14 then during our last assignment you asked us to
15 review an eavesdropping case. We should have
16 another case going on.

17 THE COURT: Correct. State, are you still --
18 have you changed your election or are you still
19 going on the --

20 MR. PODLASEK: Judge, we would still be going
21 on the eavesdropping case. We haven't finished
22 reviewing the case that came down.

23 MS. MELONGO: Judge, may I? During our last
24 hearing you give us an assignment. It was actually

1 an assignment, it's almost like a month ago. You
2 gave us an assignment to review the 7th Circuit --
3 the 7th Circuit Court of Appeal ruling in the ACLU
4 v. Alvarez case, and everything that was said in
5 that ruling maintained the fact that my case should
6 be dismissed. In fact, the State in responding to
7 my motion to dismiss --

8 THE COURT: Hold on, Ms. Melongo. I know
9 you're arguing it. I'm going to give both sides an
10 opportunity to re-argue Ms. Melongo's motion to
11 declare the eavesdropping statute unconstitutional
12 in light of the case that I told both parties about
13 and asked them to re-read.

14 MS. MELONGO: Judge, we're --

15 THE COURT: We're not going to do that today.
16 We're going hold this over. We're going to hold it
17 to the same date as your subpoenas and I'm going to
18 rule on that date. But I'm going to allow both
19 side to prepare to argue the effect of that case on
20 this case.

21 MS. MELONGO: Judge, I ironed everything out
22 and I to file it today. Actually I have everything
23 printed out and everything.

24 THE COURT: You May file it.

1 MS. MELONGO: If you can file it.

2 THE COURT: Stuart.

3 MS. MELONGO: If you can make a copy and give
4 me another copy.

5 THE COURT: Is that all one document?

6 MS. MELONGO: Yes.

7 MS. MELONGO: Just give us a week.

8 THE COURT: You'll have all your subpoenas in
9 ready in a week?

10 MS. MELONGO: (Nodding.)

11 THE COURT: Okay.

12 MR. PODLASEK: What about the 19th of June,
13 Judge?

14 MS. MELONGO: The 19th is a week away. What
15 about next week?

16 MR. PODLASEK: Judge, I have a full schedule
17 next week.

18 THE COURT: Actually I was tied up too,
19 Ms. Melongo. I was looking at the 14th and the
20 19th would also work.

21 MS. MELONGO: Judge, let's do it this week. I
22 can have my subpoena ready even today. If we can
23 come back tomorrow or --

24 THE COURT: I understand. I'm to give

1 Mr. Podlasek time. This is going to be the last
2 time we argue it whatever date we set.

3 MR. PODLASEK: Set it for the 19th or 20th.

4 THE COURT: How is the 19th?

5 MS. MELONGO: Judge, actually I should not
6 continue by agreement anymore I already asked for
7 time. So it has to be continued by order of court.

8 THE COURT: I understand, but you have a motion
9 to dismiss pending and the term won't run anyway
10 because whenever a defendant has a motion on file
11 the term is not running against the State, so it
12 really does not matter how it goes.

13 MS. MELONGO: Okay. Let's put it for the 19th
14 then.

15 THE COURT: He said he's not available the
16 14th, so we're going to set this then by agreement
17 to June 19th.

18 MS. MELONGO: Judge --

19 THE COURT: And it will be for argument and
20 ruling on that date. And please have your
21 subpoenas ready.

22 MS. MELONGO: Thank you.

23 THE COURT: And Ms. Melongo, if you can just
24 have a seat then. Stuart, my clerk is making

1 copies.

2 MR. PODLASEK: As well as for us too.

3 THE COURT: And you too.

4 MS. MELONGO: No, Judge. He has to do his own
5 research.

6 THE COURT: Whenever you file something in
7 court it's public. Mr. Podlasek is entitled to a
8 copy just as you are if you file something. That's
9 the way it works.

10 MS. MELONGO: Thank you, Judge.

11 (Which were all the proceedings had
12 in the above-entitled cause.)

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1 STATE OF ILLINOIS)
) SS
2 COUNTY OF C O O K)

3

4 I, Dorlisa Bryant, an Official Court
5 Reporter for the Circuit Court of Cook County,
6 County Department-Criminal Division, do hereby
7 certify that I reported in shorthand the evidence
8 had at the above-entitled cause and that the
9 foregoing is a true and accurate transcript of the
10 evidence heard before the Honorable STEVEN J.
11 GOEBEL, Judge of said court.

12

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18 Dated this 15th day

19 of NOVEMBER, 2012.

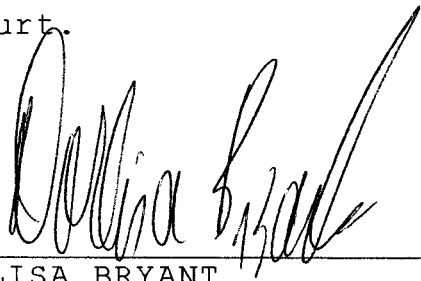
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DORLISA BRYANT
Official Court Reporter
#084-003048

EXHIBIT DD

0300

(Rev. 5/28/09) CCCR 0066 A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS

v.

No. 08CR10502

Annabel K. Melongo

FILED
JUDGE STEVEN J. GOEBEL-1954

AUG 28 2012

CLERK OF THE CIRCUIT COURT
CRIMINAL DIVISION

~~SUBPOENA~~ - SUBPOENA DUCES TECUM

The People of the State of Illinois to all Peace Officers in the State - GREETING:

WE COMMAND THAT YOU SUMMON Cook County Sheriff Police

1401 S. Maybrook Drive

Maywood, Illinois 60153

to appear to testify before the Honorable Judge Steven J. Goebel

on August 28, 2012 in Room 101, Circuit Court, 26th Street and

California Avenue, Chicago, Illinois, at 9.00 am m.

YOU ARE COMMANDED ALSO to bring the following: SEE ATTACHED RIDER

***** COPIES WILL SUFFICE IN LIEU OF APPEARANCE *****

in your possession or control.

YOUR FAILURE TO APPEAR IN RESPONSE TO THIS SUBPOENA WILL SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF THIS COURT.

Atty. No.: 99500

Name: Annabel K. Melongo

Atty. for: Pro Se

Address: P.O BOX 5658

City/State/Zip: Chicago, IL 60680

Telephone: 312-415-6632

Issued by: Dorothy Brown

Signature

☐ Attorney

☒ Clerk of Court

Date: July 27, 2012



NON-APPLICABLE - Strike out Title which does not apply - Subpoena or Subpoena Duces Tecum.

(OVER)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
CRIMINAL DIVISION

State Of Illinois,)	
)	
Plaintiff,	)	No. 10CR0809201 / 08CR10502
)	
v.	)	Judge Steven J. Goebel
)	
Annabel K. Melongo)	
)	
Defendant,)	
)	

Subpoena Duces Tecum

To: Cook County Sheriff Police
Attn: Subpoena Processing
1401 S. Maybrook Drive
Maywood, Illinois 60153

***** COPIES WILL SUFFICE IN LIEU OF APPEARANCE *****

YOU ARE COMMANDED also to bring the following documents:

1. All documents regarding the arrest of Annabel K. Melongo on April 13th, 2010 by Officer Rubino #5043 and James Dillon #1068. The documents should include, but not limited to, memos, emails, letters paper(s) or digital, faxes, conversations notes, police reports and supplemental reports.
2. An affidavit stating that the production is complete and in accordance with the requests herein.

***** COPIES WILL SUFFICE IN LIEU OF APPEARANCE *****

**YOUR FAILURE TO RESPOND TO THIS SUBPOENA WILL SUBJECT YOU TO
PUNISHMENT FOR CONTEMPT OF THIS COURT**

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0804
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City, State, ZIP+4 Maywood, IL 60153

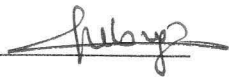
PS Form 3800, August 2006 See Reverse for Instructions

SERVICE:

I served this ~~Subpoena~~^{mailing} or Subpoena Duces Tecum by ~~handing~~ a copy to _____
Cook County Sheriff Police (see above receipt)

On July 27th, 2012 I paid the witness
\$ _____

for witness and mileage fees.

Annabel Melago 

Signed and sworn to before me

Notary Public